S. HRG. 98-703

# VERMONT WILDERNESS AREAS

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# HEARING

BEFORE THE

SUBCOMMITTEE ON
SOIL AND WATER CONSERVATION,
FORESTRY, AND ENVIRONMENT

OF THE

COMMITTEE ON AGRICULTURE,
NUTRITION, AND FORESTRY
UNITED STATES SENATE

NINETY-EIGHTH CONGRESS

SECOND SESSION

ON

## H.R. 4198

A BILL TO DESIGNATE CERTAIN NATIONAL FOREST SYSTEM LANDS IN THE STATE OF VERMONT FOR INCLUSION IN THE NATIONAL WILDERNESS PRESERVATION SYSTEM AND TO DESIGNATE A NATIONAL RECREATION AREA

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FEBRUARY 1, 1984

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# VERMONT WILDERNESS AREAS

WEDNESDAY, FEBRUARY 1, 1984

U.S. SENATE,
SUBCOMMITTEE ON SOIL AND WATER CONSERVATION,
FORESTRY, AND ENVIRONMENT OF THE
COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY,
*Washington, D.C.*

The subcommittee met, pursuant to notice, at 10:06 a.m., in room 562, Dirksen Senate Office Building, Hon. Roger Jepsen (chairman of the subcommittee) presiding.

Present: Senator Jepsen.

Also present: Senator Leahy.

## STATEMENT OF HON. ROGER W. JEPSEN, A U.S. SENATOR FROM IOWA

Senator JEPSEN. The purpose of this hearing is to consider a wilderness bill for the State of Vermont. The House-passed bill H.R. 4198 is currently pending before this committee.[1]

This is the third State wilderness bill hearing before the Subcommittee on Soil Conservation, Forestry, and Environment. Together with the hearing last week for North Carolina, held by Senator Helms, hearings for New Hampshire and Wisconsin wilderness bills have already been completed. As hearings on these bills have progressed, the question of appropriate release language has become an issue. Senators on the Committee on Agriculture, Nutrition, and Forestry have long had an interest in sound forestry management. The concept of when and how wilderness studies should take place has been addressed in different legislation passed by Congress over the past 10 years.

Each new law has brought a slightly bit different interpretation to the issue of wilderness study. Frankly, the issue has become more cloudy as a result of recent lawsuits and legislative initiatives.

For example, in 1982, a Federal court found that the RARE II areas, the RARE II study did not adequately consider wilderness in certain areas. This has led to still another administration review of the wilderness option. It should be noted that the RARE II study was a result of a court decision that a previous study was deficient.

Meanwhile, another Federal court in 1982 found that the Secretary of Agriculture did not have the authority to recommend wilderness to Congress at the end of the RARE II study for those lands which qualified for wilderness under the Eastern Wilderness Act.

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[1] See p. 107 for a reprint of H.R. 4198.

The court rule that the Secretary could only recommend wilderness study areas to Congress and that these areas would have to be designated as wilderness study areas by Congress before they could be recommended as additions to the Wilderness Preservation System.

While these and other cases were being decided by the courts, two very important series of events were taking place.

First, Congress was in the process of passing a number of wilderness bills based on recommendations of the supposedly faulty RARE II study.

Second, the Forest Service was proceeding with land management plans for every forest in the National Forest System, as required by law. As Congress considered wilderness bills, they also saw that the land management planning process was ongoing. Congress also recognized the proceedings in the Federal courts and began to attach language to individual State wilderness bills that could resolve some of the objections raised in the courts.

This has come to be known as release and sufficiency language. And some version has generally been adopted on various State wilderness bills.

As chairman of this subcommittee, which has some jurisdiction over these matters, I have attempted to ascertain, as have others, whether a problem or a potential problem does in fact exist with the release language proposed in these bills.

On this point, there seems to be some disagreement. However, there also seems to be some agreement that the release language allow the land management plans to operate for at least 10 years.

So, as we consider testimony on a wilderness bill for the State of Vermont, I am sure that there will be further discussion of this issue.

I welcome such debate and hope that it will become the basis of some sound policy recommendations.

With that in mind, I want to welcome all of the witnesses and guests here today, and extend a special greeting to the two very distinguished Senators from Vermont, one of whom is a member of the Committee on Agriculture, Nutrition, and Forestry, and serves as cochairman of the Environmental and Energy Study Conference, Senator Leahy; and one who serves as the chairman of the Committee on Environment and Public Works, Senator Stafford.

Probably no State in the Nation has the expertise that represents the constituency on the given subject as these two gentlemen do from Vermont.

I welcome my colleagues and now would ask if they have any opening statements.

Senator Leahy?

Senator LEAHY. I yield to Senator Stafford.

Senator STAFFORD. Thank you very much, Mr. Chairman, Senator Leahy.

## STATEMENT OF HON. ROBERT T. STAFFORD, A U.S. SENATOR FROM VERMONT

Senator **Stafford**. I want to express my personal deep appreciation for your courtesy in allowing me, not a member of this committee, to have an opportunity to sit with in and deliberate with it here this morning, on a subject which is of prime importance to the State which Senator Leahy and I have the privilege of representing.

Mr. Chairman, the proposal before you, H.R. 4198, represents an agreement reached among the many varied interests in Vermont on designating additional wilderness in the Green Mountain National Forest.

As with any compromise, no one is totally happy with this bill. We will hear today that some individuals continue to voice their disagreement. However, thanks to what we believe to be constructive, good-faith negotiations between the various Vermont interest groups, we have a proposal that addresses the most urgent needs and desires of all sides.

The Vermont bill would designate 40,000 acres of Vermont Green Mountain National Forest as wilderness. In addition to this 40,000 acres of wilderness, another 22,000 acres which had been designated wilderness in our original bill, will become a national recreation area instead.

This national recreation area designation will permit more varied use of the 22,000 acres than would have been possible under the wilderness designation.

Included in Vermont's bill is a designation of 21,000 acres of U.S. Forest Service land in East Middlebury which will be called the Breadloaf wilderness area. There is an additional 13,600 acres south of Forest Service Road 10, near Mount Tabor, and including Baker Peak, Styles Peak, Peru Peak, and Pete Parent Peak. These areas will be known as the Big Branch wilderness and the Peru Peak wilderness areas.

In addition, 5,000 acres near the town of Woodford that is densely wooded and contains a large number of beaver ponds at high elevation, will be called the George D. Aiken wilderness area, in honor of former U.S. Senator George D. Aiken, who is both a former chairman of the Senate Agriculture Committee and the father of the Eastern Wilderness Act.

In addition to these four areas, an additional 1,000 acres will be added to the existing Lye Brook wilderness in the Green Mountain National Forest.

The Vermont wilderness bill represents a Vermont answer to a very difficult question that has confronted the people of our State. The bill takes into account the major needs and concerns of all interested parties.

Mr. Chairman, I would like to mention some of the significant points of this compromise legislation as they affect different interests.

Regarding wilderness: 40,000 acres of new wilderness; 22,000 acres of primitive and semiprimitive wildlife and recreation area; 20 percent of the federally owned land in the Green Mountain National Forest is protected by wilderness designation; and 8 percent of the federally owned land in the Green Mountain National Forest is protected as a wildlife and recreational management area.

Regarding snowmobile use: Over 60 miles of snowmobile trails which would have been closed under the original bill remain open under this bill; Forest Service Road No. 10 will be open to snowmobiles and closed to logging trucks on weekends if an alternative route for snowmobiles from Mount Tabor to the national recreation area cannot be developed; snowmobiling is permitted on ponds within the NRA; and if relocation of existing snowmobile trails becomes necessary for environmental reasons or due to natural occurrences, procedures for such relocation are to be developed by the Forest Service and the Vermont snowmobile clubs.

Regarding wildlife management: Over 1,000 acres of deeryards have been removed from the originally proposed areas so that they can be fully managed; and the Vermont Fish and Game Department will be permitted to manage fish and game, including stocking ponds by snowmobile, in all areas where it currently does such management.

Regarding timber cutting: Continued commercial logging is allowed on a substantial acreage of high quality timber in the Big Branch and Breadloaf areas; limited timber cutting for wildlife management—and in some cases recreational management—is permitted in the NRA. Such timber cutting will be tightly controlled by the Forest Service so it will not require significant disturbance of the land surface; all wilderness boundaries have been set back 300 feet from all roads to allow cutting to continue for wood uses as fuel; and all existing timber sales have been excluded from the wilderness areas and those within the NRA will be allowed to fun their course.

Regarding roads: The use of wheeled vehicles is permitted in the NRA on existing Forest Service system roads currently open and seasonally passable by two-wheel drive vehicles; town roads currently open and entering the wilderness areas are cherry stemmed, which means they are excluded from the wilderness areas; and the purpose of these two provisions is to insure access for hunters, fishermen, elderly, and disabled people.

Regarding inholdings: All inholdings, including the right to traditional conventional means of access, have been preserved in accordance with the owners' current agreements with the Forest Service.

Mr. Chairman, the effort to designate wilderness in Vermont brought two congressional hearings to Vermont last year. In addition, members of the delegation received hundreds of comments from Vermonters by mail and in person.

I ask unanimous consent that the transcript from the hearings held by the Vermont congressional delegation at Middlebury, Vt., be printed in the hearing record at an appropriate point so that the views of many Vermonters who could not be here today will be a part of the record.

Senator **Jepsen**. The record will show that without objection and the Chair hears none, that the requested material will be received and made a matter of the record of this hearing.[1]

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[1] Because of cost considerations the material will be retained in the committee files.

Senator STAFFORD. I thank you, Mr. Chairman.

This bill meets the legitimate interests of all concerned Vermonters and I recommend it to the committee for its favorable consideration.

I support this bill and will work to get it enacted at the earliest possible date.

Senator JEPSEN. Thank you, Senator.

Senator Leahy.

## STATEMENT OF HON. PATRICK J. LEAHY, A U.S. SENATOR FROM VERMONT

Senator LEAHY. Mr. Chairman, I can only echo the words of my distinguished senior colleague in this matter. Senator Stafford, Congressman Jeffords, and I have spent a great deal of time on the past year and more on this issue in hearings throughout Vermont.

We have had the formal hearings and then we had the informal hearings; informal hearings usually consist of, in my case, anyway, of me stepping off the plane each week or so when I am up there and somebody saying, Leahy, what are you doing on wilderness these days?

Sometimes those informal hearings carry even more impact, Mr. Chairman, than the formal hearings, as you know yourself, when you go back home.

But we have a lot of them and they have been important.

I think actually the first hearing held on this whole question was way back 4 or 5 years ago, in Middlebury, when Senator Lugar and I went up and held a hearing and efforts were made to bring parties together.

Now, a long process has preceded our hearing here today, one that was going on when I came to the Senate in 1975. But most of these activities have taken place in 1983. It has not been an easy process. The difficulties that we have seen in the process have underscored one vital fact and one that nobody either here in Washington, or especially in Vermont, should lose sight of. The love of Vermont's forest land is shared by many who may disagree on the wilderness question.

Ultimately those of us who have considered this have come down to one thing. We are first and foremost Vermonters and we share a very particular love of the land, and a particular love of our State, something that really cannot be understood until you have lived there and felt it. I am pleased to report that this caring for the land has prevailed.

All disagreement has not been resolved. All disagreement could never be totally resolved and we do not claim that. We do claim, however, and all three members of the congressional delegation feel this, that we have arrived at what we Vermonters believe to be a reasonable Vermont solution to the question.

I would only want to thank all those who made the trip from Vermont and ask that they express my gratitude to their friends and their colleagues, people who work with them at home, who have also worked so hard to reach a fair agreement.

We have been most fortunate to have enjoyed the honest, and professional, and scrupulously neutral technical assistance of the

Green Mountain National Forest staff. Our own State Environmental Conservation Agency has worked hard, also, as have many members of the Vermont Legislature.

And, finally, I want to commend the good-faith efforts of both the Forest Coalition and the Vermont Wilderness Association. Even in disagreement, the perseverance and dedication which they have displayed have made this progress possible and without that perseverance and dedication, quite frankly, the progress would have been impossible.

It is also in the best tradition of Vermont, private individuals, citizen legislatures, government officials, all working together openly and honestly. It shows people with diverse philosophies working together and overriding their own personal feelings to insure that Vermont's interests come first. As lifelong Vermonters, all three of us in the delegation know that means a great deal. It certainly does to me.

I believe the release language which we have in our bill should not be altered at all. This language is working well now in five States. It insures periodic consideration of wilderness while it provides a planning certainty desired by the timber industry. The release language in our bill is an integral element of our bill as a whole.

Finally, I believe that this committee should continue the practice in our body of following the decisions made by the State delegation on State wilderness matters.

There are a number of witnesses with us today who were directly involved throughout 1983. I look forward to having them share their testimony with the committee to help explain how we arrived at our Vermont compromise. I especially want to thank Senator Jepsen for taking the time to get this underway.

You really have done yeoman service as far as Vermont is concerned in the past few months, Senator. You have come up to Vermont in the southern part of the State, Windham County, and held what I consider the most valuable hearing that we have had there in a long, long time. This time, to make it a little bit easier, we brought half of Vermont here to you.

Thank you.

Nobody left in the State today?

Senator **Jepsen**. I thank you, Senator Leahy, and at this time I would call for our first witness, the Honorable John B. Crowell, Assistant Secretary for Natural Resources and Environment, U.S. Department of Agriculture.

Welcome, Mr. Secretary.

## STATEMENT OF HON. JOHN B. CROWELL, JR., ASSISTANT SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT, U.S. DEPARTMENT OF AGRICULTURE

Mr. **Crowell**. Thank you, Mr. Chairman.

If I might, I expect pretty much to read my statement as it is presented, because it is relatively short but consequently important.

It is my pleasure to be here this morning to present the administration's views on H.R. 4198 that would designate additional wilderness and would establish a national recreation area in the Green Mountain National Forest in the State of Vermont.

The administration opposes H.R. 4198.

The State of Vermont contains approximately 5.9 million acres of which 4.5 million acres are forested. Only 294,000 acres of the forested lands are within the National Forest System. At the current time, 17,300 acres of National Forest System lands are already within the National Wilderness Preservation System. H.R. 4198 would designate an additional 41,260 acres as wilderness and would establish another 36,400 acres as the White Rocks National Recreation Area.

As Senator Stafford has pointed out, two of the wilderness areas are within the proposed national recreation area.

The management restrictions placed on the national recreation area would provide limitations on multiple-use-management practices similar to the limitation which would apply if the area were designated wilderness, although obviously the limitations are not identical.

The second roadless area review and evaluation (RARE II) identified a total of 55,720 acres of the Green Mountain National Forest as having potential for further analysis as candidates for wilderness designation. Based on analysis of the wilderness characteristics of the areas, the moderate visitor use of already existing Vermont wilderness areas, the close proximity to large wilderness acreage in the New York Adirondack State Park, and the value of the resources to be foregone by wilderness designation, the RARE II final environmental impact statement, which was completed, as you know, during the last administration, found the areas best suited for uses other than wilderness.

The RARE II decision for Lye Brook Addition, Woodford, Griffith Lake, and Wilder Mountain, all of which in part either would be designated wilderness or national recreation area by this bill, was that these areas should be managed for uses other than wilderness. This decision resulted from a low rating of the wilderness characteristics for these areas because of obvious evidence of earlier development activities. The decision rested also on the conclusion that the areas contained moderate to high resource values the realization and benefits of which would be precluded by wilderness designation. These areas contain numerous low standard roads; established recreation use associated with vehicles is common. The areas include about 70 miles of roads and trails, of which about 20 miles are on the Forest Service transportation system and are open to the public using automobiles and campers. Several of the remaining roads are usable in dry weather with pickups or 4-wheel drives.

The previous administration placed the Breadloaf Area, consisting of 19,850 acres and the Devils Den Area, consisting of 8,830 acres, in further planning. H.R. 4198 would designate Breadloaf as wilderness. The further planning classification for these two areas was recognition of a need for additional analysis of the wilderness attributes and the other resource values associated with the areas. This additional analysis is currently being done as a part of the forest land management plan, the planning process being carried on in the Green Mountain National Forest following the mandate of the National Forest Act of 1976. We believe that decisions on these areas should be deferred until the forest plan is completed in 1985.

The Breadloaf Area had the highest wilderness attribute rating of any of the Vermont areas inventoried in RARE II. This area is composed primarily of lands above 2,500 feet in elevation on the north unit of the Green Mountain National Forest. The Long Trail traverses the entire length of the area, generally following the height of land. Because of the steep slopes and shallow soils, road access to the area has been limited primarily to lower elevation sites. Past management of the area has emphasized dispersed recreation activities such as backpacking and cross-country skiing.

H.R. 4198 would expand the Breadloaf Area to 21,480 acres, compared to the 19,850 acres which were studied by RARE II. Expanding the area in this way would include lower elevation sites which are more accessible, have more evidence of past resource activities, and include higher value timber stands.

Although we concur that the 19,850 acres Breadloaf Area identified in RARE II has a high potential for wilderness, the administration recommends that a decision on wilderness designation not be made until completion of the forest plan.

The Devils Den further planning area had a low wilderness attribute rating and is far more accessible by existing roads and vehicular trails than is Breadloaf. We, therefore, strongly oppose designation of this area until further analysis has been completed as part of the forest plan.

The White Rocks National Recreation Area (NRA) to be established by the bill contains 36,400 acres, would encompass part of the Devils Den Area, and most of the Wilder Mountain and Griffith Lake RARE II Areas. Approximately 12,000 acres of the proposed national recreation area are lands which were not inventoried as part of RARE II, primarily because they were roaded and under active uses not compatible with potential wilderness designation. H.R. 4198 requires that the national recreation area be managed with the objectives of continuing primitive or semiprimitive recreation uses, preserving wild forest and aquatic habitat for fish and wildlife, and protecting special areas having outstanding wilderness, biological, geological, recreational, cultural, historical, archeological, or scientific values. Timber cutting would be permitted only to maintain existing wildlife habitat or recreation uses. The bill specifically prohibits construction of new roads, commercial timber harvesting, all forms of mineral entry, and vehicle use except on existing system roads. Designation of the White Rocks National Recreation Area without analysis of the other values thereby forfeited as compared to the benefits derived is, in our view, not appropriate.

The release language in the House-passed version of H.R. 4198 would perpetuate current uncertainties about the land base available over the long term for nonwilderness multiple-use activities. There needs to be reasonable certainty over the land base available to support economic activities which generate local jobs and add to the community tax base. Under the language of the bill, if a change in physical conditions or litigation results in the need to revise the forest plan in only, for example, 2 years, the entire roadless area review and evaluation question would again be raised.

This would be extremely disruptive and a waste of Forest Service time and manpower.

If the Congress chooses to proceed at this time with designation of additional Vermont wilderness, we believe that the remaining National Forest System lands not designated as wilderness or for study should be simultaneously released by this bill from any requirement to be considered in any future national forest plan for possible wilderness designation. The administration, therefore, strongly recommends for any Vermont wilderness bill that the release language contained in section 105 be amended to provide permanent or at least more long-term stability to the National Forest System lands not designated by this bill or currently in the National Wilderness Preservation System.

Because H.R. 4198 would designate areas as wilderness which were not recommended by RARE II for wilderness and would designate as a national recreation area another area with use limitations almost as restrictive as wilderness, the administration recommends that H.R. 4198 not be enacted.

This concludes my prepared statement.

I will be happy to answer any questions you or the other Senators may have.

Senator **Jepsen**. Mr. Secretary, thank you for your testimony.

In your testimony, the administration's main objection to the bill seems to be that the recommended wilderness acreage in the bill is greater than that recommended in RARE II and that the release language is not sufficient.

Is that an accurate assessment?

Mr. **Crowell**. Yes, it is.

With the addition, of course, that one needs to recognize that RARE II resulted in no recommendation for additional wilderness on the Green Mountain National Forest. The basic reason is, as I have said in my statement, that the areas deemed to be candidates for possible wilderness designation turned out not to have wilderness characteristics.

In other words, they had evidence of prior development and were fairly heavily roaded.

Senator **Jepsen**. Well, having established that as the base, I will now yield to the Senators from Vermont. Senator Leahy, did you want to proceed?

Senator **Leahy**. If I might, Mr. Chairman.

Mr. Secretary, I appreciate your testimony, but it has been my experience, now my 10th year on this committee, that there has always been a tradition here that the Senate has followed a State's congressional delegation on a State's wilderness issue, when that delegation shows any sign of unanimity.

In this case, we have a bipartisan delegation, Republicans and one Democrat. We have reached a unanimous conclusion. Now, it has been my experience that when that happens on a wilderness matter, that that is followed; unless it is shown that the determination of the delegation is grossly wrong, or makes no sense at all, or if it is not supported by the people in the State, or if it affects national security, or creates a truly significant commercial problem.

Now, does the designation by the Vermont delegation and those Vermonters who have worked on this, fall into those kind of categories?

Mr. **Crowell**. Senator, I am, of course, fully aware of the fact that the custom you allude to is generally followed by the Congress.

I would have two general responses to the point you make.

One is that the recommendation we bring to you is a result of study done by the Forest Service in connection with RARE II. It was a professionally handled study, done in compliance with the existing definition of wilderness.

The finding was that there simply was not sufficient area in the State of Vermont and in the Green Mountain National Forest that met the definition of wilderness. That was a result of the professional analysis which was applied by the Forest Service.

I would make the additional point that in passing along that recommendation, of course, we are performing the function of the executive branch which is, in this case, to advise and to provide opinion to the Congress. The Congress, all too frequently, does not follow the advice of the executive branch, not only on wilderness matters, but on many other matters as well.

Senator **Stafford**. And vice versa.

Mr. **Crowell**. And vice versa.

The second point I would make is that at least on wilderness, the normal tradition of congressional and senatorial courtesy was not followed in the case of Alaska some years ago, when the Alaska delegation, also a three-man delegation, was very adamantly opposed to the wilderness proposals which were ultimately enacted into law.

Of course, that was not in this committee, and you were very careful to point out, Senator, that it was generally the custom followed in this committee.

Senator **Leahy**. It is also a little bit different to compare something under 60,000 acres with something that amounted to millions and millions and millions of acres, and questions of everything from national security to significant commercial intents, too

Mr. **Crowell**. I recognize the distinction and also would point out, of course, that you were raising the principle, and I was only commenting on the principle.

Senator **Leahy**. Well, Mr. Secretary, I appreciate the fact that you would raise objections and I see nothing wrong with that. I think that is perfectly appropriate.

I would suggest that in this case we did have the technical assistance, as I said before, of the Forest Service and one in which I should add, I have the highest praise for. They were scrupulously neutral and I think everybody, no matter how they approached this question, feels that way. That allowed us to draw our own conclusions, because that is what they were supposed to do and that is what we asked.

But I think this is one of those instances where its well to listen to the people most affected. I think you agree with me in saying that all wisdom does not rest in Washington. In fact, I think both you and I would agree that to the extent that decisions can be made at local levels, the better, and that is what we have tried to do here.

I do not want to sound chauvinistic in saying it, but Vermont is a very, very special place and people of Vermont look at these things very, very seriously. I look at the number of people who have taken an enormous amount of time out of their own lives just to work on this, no matter what position they came from and gave up evenings and days. People who came everytime that Senator Stafford, Congressman Jeffords, or I asked them to come to meetings, to hearings, and to try to work out a compromise. They have developed what they see as a local solution and I see as a local solution, because, after all, I will live the rest of my days in Vermont as all three members of the delegation will, and we are concerned about that.

I appreciate the position that you are in. I think it is a responsible one to express a dissent, if you have it. But I would hope that this is an instance, Mr. Jepsen and Mr. Stafford, that if we can get a congressional solution, it may well be best. I suspect that your Department, in looking at the numbers here, will feel that the world will continue, notwithstanding what we might do if we were the three-member Alaska delegation.

I have a feeling that it may rise to a higher degree of priority on your desk because of the numbers. But I think this is a case where perhaps Vermont is best left to the Vermont solution.

Mr. CROWELL. Senator Leahy, I do appreciate your comments about the Forest Service participation in this process since RARE II's completion.

I would never want them to compromise their professionalism nor their willingness to cooperate with both sides on an issue of this sort, and I'm glad to hear that evidently you and Senator Stafford and Congressman Jeffords feel that they did conduct themselves with an appropriate neutrality in dealing with the issues, even after their professional recommendations had been completed with a great deal of effort and with a great deal of painstaking conscientious wrestling with what was appropriate.

I would say that you are right, Senator Leahy, that the Department is unlikely to think that the world will come to an end if this bill does pass.

Senator LEAHY. Thank you.

Senator JEPSEN. Thank you.

Senator Stafford?

Senator STAFFORD. Thank you, Mr. Chairman.

I think I would try to save time here by saying that I associate myself with what Senator Leahy has said, Mr. Secretary, and this is what the great majority of Vermonters want to do, and it is truly a bipartisan effort on the part of the Vermont delegation which is strongly united in this understanding.

I just noted a couple of things in your opening statement, Mr. Secretary, which I would like to comment on very briefly. I think you mentioned the Devil's Den area as part of the wilderness acreage and it is not in the bill as it is now pending, it is part of the national recreational area.

But I may have been misunderstanding what you said, but I got the impression that you referred to 36,000 acres as going into the national recreational area, and I think that is a smaller number than you were using.

Mr. CROWELL. Senator, when you refer to 30,000 or whatever the figure is, I think it was 22,000 acres that you had referred to, I understand that 14,400 acres of wilderness would be designated within the larger national recreational area, 36,400 acres, and that another 22,000 acres would have this still quite restrictive management as a result of being part of the national recreational area.

Senator STAFFORD. Yes, that is correct.

I guess I misunderstood you slightly when you gave the figures.

Mr. CROWELL. I believe I also did indicate that the Devil's Den area is a further planning area. As a result of RARE II, it is one of two that was left in further planning as a result of the completion of the RARE II process.

Senator STAFFORD. Well, thank you very much, sir.

I also understand the position that you are in and I also appreciate your being here and giving us counsel and I will say that the Forest Service people in Vermont have been most cooperative in giving us technical assistance in developing the plans that we have wanted to follow here with the advice and consent of the many Vermonters who have been involved in this mission, along with the congressional delegation.

Mr. CROWELL. Thank you, sir.

Senator JEPSEN. Thank you, Mr. Secretary.

Now, we will call on our first panel, Brendan Whittaker, secretary, Department of Environmental Conservation, State of Vermont; the Honorable Robert E. Graf, member, Vermont State House of Representatives; and the Honorable Seth Bongartz, member, Vermont State House of Representatives.

I would welcome you to the committee and I would now ask that Senator Leahy take the Chair. With all the Vermonters that are here, I again extend a welcome. I would like to explain to you that I am not leaving because of lack of interest, but because of a dual responsibility I have in another committee where there will be some disagreement. That committee is the Senate Armed Services Committee, and the Armed Services budget is being presented by the Secretary of Defense this morning.

Senator LEAHY [presiding]. Thank you, Mr. Chairman.

I have been told that the Senate photographer wants a couple of pictures. Senator Stafford, if you and I could step down there with this group from Vermont.

[Pause.]

Senator LEAHY. Back to order.

I am not sure just how to conduct a hearing without Senator Art Gibbs here. Art ran the time on two different meetings we had, one in 1975 and again last year; the fastest gavel in the East, the only man who could cut you off in the middle of the word "I," if you went overtime, and did it very well.

But, again, I thank you for coming down and I will start, with Secretary Whittaker, the Department of Environmental Conservation, and a member of the Governor's cabinet of the State of Vermont. Brendan Whittaker, would you please start?

## STATEMENT OF HON. BRENDAN J. WHITTAKER, SECRETARY, DEPARTMENT OF ENVIRONMENTAL CONSERVATION, STATE OF VERMONT, MONTPELIER, VT.

Mr. **Whittaker**. Thank you, Senator Leahy, and Senator Stafford.

I assume the thing to do would be to cover the high points and then submit the written testimony.[1]

I want to be sure to say at the beginning that the State of Vermont fully supports the concept of wilderness, because it has been a divisive issue in Vermont. That is no secret. This administration does support the concept, though we have always stood against those who would say the more wilderness the better, with no regard to limits, we will just add to it; we said no to that.

On the other hand, those who would say no, never, wilderness is not an appropriate land use; we want to utilize all of our land resources, we do not agree with that either.

The executive branch of Vermont government became involved in the issue because wilderness designations affect so many Vermonters, our State is so small. We recognize that the ultimate jurisdictions are yours, they are Federal law. Under the Eastern Wilderness Act, the ultimate authorities are yours, the U.S. Congress, with the requisite action by the President to sign any bill. But at the same time, large tracts of land within Vermont are potentially affected. We note the close ties between the Green Mountain National Forest and the State of Vermont, ties that date back to Senator Aiken's day. We note the State board on the Green Mountain National Forest that has helped maintain these ties.

Every acre of the Green Mountain National Forest as a result of the Weeks Act was at one time private land, unlike the western national forests. At one time these acres were Vermonters' backyards in many cases. So the State of Vermont has a deep and abiding interest in the permitted uses on Green Mountain National Forest lands.

Hence, a Governor of Vermont has every obligation and duty representing the people of Vermont—since a Governor holds the major statewide elective office—to join in deliberations on the Green Mountain National Forest's management and future.

We would have preferred that the Forest Service had been permitted to complete its land management planning process. However, when the Vermont congressional delegation decided to submit wilderness legislation, the Governor was in contact with the delegation and we then began to work with the reality of that legislation.

We had asked the Forest Service, recognizing the urgency which you folks had, we asked that the Forest Service at the time expedite its planning process but your bill soon overrode those considerations.

During the summer of 1983, as you know, after the legislation was filed, the State of Vermont, my agency, was asked by the Governor to do its own study. We based this study on a policy: We based it on what acreages and use balances would be appropriate.

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[1] See p. 40 for the prepared statement of Mr. Whittaker.

We tried to at that time to stay out of the immediate controversy of wilderness versus no wilderness.

We completed that study and submitted it to your staffs. Based on it, Governor Snelling identified acreage appropriate for quality wilderness, if some was to be named in the range of 30,000 to 32,000 acres. Your bill as you mentioned, has approximately 40,000 acres plus the national recreational area.

Since those 40,000 acres correspond generally to the Vermont recommendations, we accept the compromise in the present bill as being the best possible, considering all the circumstances surrounding the wilderness issue. With some exceptions therefore, the State of Vermont accepts and endorses H.R. 4198 as you now have it before you in this committee.

The parties have bargained hard and in good faith. I want to publicly and for the record compliment your staffs for a good job well done.

I do not know if you know that they worked very hard, in Vermont, very diligently, and at times in a very divisive situation and we want to thank them.

Senator **Leahy**. We realized it at the time they all applied for combat pay, that is when we knew it was really getting difficult, but we might be near a compromise.

Mr. **Whittaker**. Mike has mentioned that several times.

I will not tell you what he said.

We also appreciate the cooperation of the Green Mountain National Forest staff. We think that staff in Rutland has always, and especially now, represented the finest in the U.S. Forest Service tradition.

As I said, we base our wilderness considerations on the best balance achieveable among uses.

It is our conclusion that the present bill secures a reasonable balance among the range of uses from consumptive such as logging, to the pure wilderness experience where human intrusions are kept at a minimum.

Regarding the national recreational area, we are particularly please that you have agreed that so-called commercial logging could be utilized there. We think this is a key part of this compromise. It is one which I, personally, worked very hard on and believed in. When there was some doubt as to the use of commercial logging, it became apparent to us that the hoped-for wildlife management simply could not be done in its absence. The Forest Service does not work that way. They need logging jobs, commercial logging jobs bid off under strict controls for the desired wildlife and, in some cases, recreation benefits. We are pleased to see this part of the NRA legislation.

The State of Vermont continues to question the inclusion of the George D. Aiken wilderness area. We are well on the record with you on this. We worked with your staffs on this. I must say the boundaries being adjusted have helped very much. I think our goals here are just the same. We thought and still think the area could have been used and preserved exactly as it is now under the Forest Service general regulatory authorities as was their recommendation.

Finally, we would stress that Vermont's recommendations are not made in a vacuum, or in isolation. Our small State, 10,000 square miles, is the recreational resource along with just one or two other areas, for tens of millions of Americans in the urban Northeast. We have sought to place Vermont's views on wilderness in the context of the national interest.

We have judged the national forest wilderness question from a range of uses: From national forest ski areas to isolated wild lands providing the wilderness experience. Then we further balanced with the very important consideration of resource commodity use such as logging and water supply and the other consumptive uses, which mean so much to our Vermont make-do way of life in our State's economy.

Our wilderness position reflects that philosophy and I am pleased that Governor Snelling and I recommend support to your bill.

Senator **Leahy**. Thank you very much, Mr. Whittaker, and I will go next to Robert Graf, a member of the Vermont State House of Representatives from Pawlet, Vt., and a very active person in the negotiations.

You have mentioned, Mr. Whittaker, the staff and their work. I think that both Mr. Graf and Mr. Bongartz are probably better known to our staff than us.

I appreciate your being there.

Go ahead, Robert.

Mr. **Graf**. Thank you, Senator Leahy.

I am going to yield to Seth Bongartz, and I will answer any questions that you may have. I will not make a statement because of the time.

You can question me, as I have questioned you at times.

Senator **Leahy**. You could start a tradition here in the Congress, we might actually be able to finish up our work in a year's time if we had everybody that helpful.

I must admit, Bob, that I find this a little bit of a change. Back in the days when I was State's attorney and Bob Graf was on the Appropriations Committee, I used to have to go and testify before him. My knees still ache from knocking together at the thought of it. I think he knew the finances of my office better than I did, as he did virtually every office in the State government.

Mr. **Whittaker**. Senator Leahy, I just want to say I have inherited that task.

Senator **Leahy**. You know what it is like.

Then Representative Bongartz, if you would, please.

Mr. **Bongartz**. Thank you, Senator Leahy, and Senator Stafford.

Senator **Stafford**. Seth, you will need to get those mikes a little closer. These mikes are no better than the ones in my committee, which are not too good.

## STATEMENT OF HON. SETH BONGARTZ, A VERMONT STATE REPRESENTATIVE, MANCHESTER, VT.

Mr. **Bongartz**. Let me begin by quickly noting that we support and endorse the testimony and position offered by Secretary Whittaker and we will offer some quick comments on it from our perspective, starting with a brief history.

On June 20, 1983, an ad hoc group of five State legislators, including Representative Graf and I, held a press conference in Rutland in order to outline our alternative to the wilderness legislation pending before Congress at that time. We offered our alternative, 22,000 acres as opposed to 64,000 acres because we questioned the wisdom of placing what would amount to 26 percent of our Green Mountain National Forest in a setting that would no longer allow any timber cutting, snowmobiling or other motorized vehicle access, and would therefore severely curtail access for hunters, campers, and canoers. As we reviewed the proposed maps, we were concerned about the vast amount of highly productive timberland that was now to be closed off from harvest forever.

We were also concerned about the existing and future wildlife management opportunities that would be lost to the Forest Service. After taking the aforementioned considerations into account and after viewing some technical advice from the Forest Service, we came up with an alternative set of maps that we felt would have a minimal effect on these considerations.

We were concerned about the historical usage of the proposed wilderness area by the people of Danby, Mount Tabor, West, and Wallingford. We have the same concerns for the people living near the proposed Breadloaf and Addison County, those near the proposed wilderness area in Woodford. This proposal served as a starting point for the wilderness debate in Vermont.

Over the course of the summer, the State of Vermont conducted a thorough review of the wilderness issue. Its review entailed the establishment of criteria to govern what areas involved should or should not be designated as wilderness and further utilize the technical expertise available from the Forest Service and the Agency of Environmental Conservation. During the same time period, an additional 55 legislators signed on behind our initial 5. After applying their criteria, which was basically the same as ours, maintaining existing recreational uses to a logical degree, maintaining wildlife management opportunities, keeping accessible and highly productive timberland available for controlled harvest, et cetera, the State found a total of 36,800 acres to be suitable for wilderness designation.

The steering committee of the 60-member legislative group did not work with the State as their recommendation developed but did keep in close contact as we both seem to share the same principles and goals, logical wilderness designations. Although the State designation for wilderness was greater than our original proposal, 36,000 acres as opposed to 22,000, we found their work to be thorough and their rationale so sound that we endorsed their proposal. We did recommend a few minor changes that were passed on to the Agency of Environmental Conservation to our congressional delegation.

This proposal, in effect, served as a second focal point. Over the course of the summer, there were also literally hundreds of telephone calls, and meetings, and rounds of negotiation as Mike, for instance, could well note.

A new round of negotiations took place in early September and from these negotiations emerged an agreement for the designation of approximately 22,000 acres in a setting to be known as the

White Rocks national recreational area, as well as an additional 41,000 acres to be placed in a wilderness designation. Of the four areas under consideration for wilderness designation, it was that which fell within the confines of the Big Branch proposal that aroused the highest level of controversy.

This is an area that is particularly beautiful, one of the reasons that some wish to see a wilderness designation applied. However, this parcel is also the one that traditionally received the highest level of use. There have been active timber-cutting operations on this parcel for 150 years. The Forest Service actively manages not only these timber-cutting operations, but also manages for wildlife habitat opportunities.

The Forest Service has worked with a very cooperative snowmobile organization known as VAST, to insure proper and reasonable snowmobile access. In any event, the result of the September negotiations was an agreement upon the principles to govern this NRA, a compromise that would allow the Forest Service continued wildlife management opportunities in their areas to be considered most important, some selective commercial timber cutting, adequate but carefully controlled snowmobile access and, again, carefully controlled access for sportsmen.

Additionally, several boundary changes to the areas to be designated as wilderness were negotiated in the interest of the aforementioned concerns. While the principles to govern a national recreational area were agreed upon by many of the groups involved, including the State legislators, the actual language was to be worked out through a continuing process. For one reason or another, these continued negotiations never took place. The result was the passage of the House bill and House report language that essentially came under the agreements of the September negotiations.

Again, the issue boiled over. Bitterness reached a new height. Many who had negotiated in favor of the aforementioned uses in the national recreational area considered all agreements off and dug in for a new round of battle.

At this point, Senator Leahy's office, recognizing the injustice of the House report language, developed a forum by which two members of the Wilderness Coalition, Mr. Reltman, and Mr. Shedd, who are both here today, and two State legislators, Mr. Graf and myself, with technical assistance from the Forest Service, the Vermont Agency of Environmental Conservation, the Vermont National Resources Council, and the staffs of our two Senators, could meet quietly and work out the report language to be introduced in the Senate with regard to the national recreation area.

You have the result before you.

The result of this new agreement has been both of acceptance by the Wilderness Coalition and many of the different user groups on whose behalf Mr. Graf and I negotiated. The agreement also spelled the end of different antiwilderness resolutions in the Vermont Legislature, indicating a general endorsement of our efforts. Mr. Graf and I, the leaders of the State legislators concerned about this issue, endorse this package you have before you today.

We feel that the boundaries and designations have been altered in a fair and logical manner. We urge your support but in doing so, would urge the committee to consider the delicate balance of interest agreed upon in the Senate report language, every point, almost every word, as you mentioned in your opening statement, has been negotiated intently and is the basis for our endorsement as well as the endorsement of many of the interest groups.

Thank you.

Senator **Leahy**. Senator Stafford.

Senator **Stafford**. Thank you, Mr. Chairman.

I have no questions.

I want to express my personal appreciation to all three of you for being here and I would like the record to show, although Bob Graf may not thank me for the number of years involved, that I have known him since my brother Tom and I were classmates at St. Lawrence, and over the last 25 years when I wanted to try to arrange something with the Vermont General Assembly. one of the very first persons I have gone to has been Bob Graf, who has usually told me very frankly whether we could do it or could not.

And if he thought we could, he has been a key player in getting it done. So I am particularly grateful that you are here.

Senator **Leahy**. I might say we have probably exhausted all the questions over the past year and we have the record from the two hearings; one Congressman Jeffords had, and one that Senator Stafford, Congressman Jeffords, and I held jointly.

Let me just raise one kind of a philosophical thing and then get your response to this.

Each one of us from Vermont in this room, if we were to sit down and told that we had the God-given right to draw out how this would be done, I think each one of us would probably choose different lines. But that, of course, is not the way and thank goodness that is not the way it is done.

But we have had some discussion here before Secretary Crowell appropriately stated his Department's feelings. In response I said that it is really an issue that should be left to us in Vermont.

Do you feel that the process gave ample opportunity for people to express their feelings, knowing that there is no way that you could conceiveably satisfy every single person? Do you think that the process as it worked, and I ask that question because there may be other issues, not wilderness, but other issues that may come up in Vermont where we may want to use a similar process.

Do you think it worked?

I will start, Bob, with you.

Mr. **Graf**. I think it works very well.

I would say that the Forest Service—I started out and I still think it is very unnecessary, but again, the name of the game is compromise and I think it is compromised very well, and I do not think we could have done it without the expertise of the Forest Service. I think that is what they should be doing.

I feel strongly that the Forest Service should be running the forest lands. I know they can do it better, the Congress in Washington can do it better, and better than the Vermont Legislature, but I think the compromise came out very well and I'm very satisfied. I think the Forest Service ought to be praised for the work that they have done.

Senator **Leahy**. I agree with that.

Seth, how do you feel?

Mr. **Bongartz**. I think the process worked well.

I think if we could do it over again, we would do it different, but this package has resulted from a good package.

Senator **Leahy**. Brendan, have we kept the State involved enough in this process?

Mr. **Whittaker**. Too much so.

Such as with acid rain. I thought I would get acid rain on the record somehow.

But, as we saw from our position, the parties bargained hard and in good faith. We are convinced that the positions of all the witnesses have been heard including the State of Vermont. The only thing that I would add personally to that, having observed the process and having a very competent staff person to follow this closely, all of us must do some better educating. I am not sure all Vermonters understood from the beginning or even now, that this is a Federal issue. It is hard. I know that, for example, "somebody in an apartment in Newport", such hypothetical person has been mentioned, or again theoretically, someone from Indiana or Iowa has just as much legal say on Vermont national forest wilderness questions as we do. It is awfully hard to understand that because of our obvious proximity to the issue.

I would think in any future process the jurisdictions should be explained carefully from the beginning. That would help.

Senator **Leahy**. I think to some extent that that probably has been happening. All three of us are up there so much and I am constantly getting stopped by somebody who asks me about a zoning question in their own town, and then the legislature will ask questions like what are you going to do about the troops in Lebanon.

But we do go back and forth on this.

I do agree with you I have certainly found from my own letters and copies of letters that I received that were sent to various legislators there really was a question as to where the jurisdiction lay.

If we have no further questions, I would again thank all three of you for coming down. But more importantly, I thank you for the enormous amount of work, that you have done during the past year in this matter and the crucial part that all three of you played in the final legislation.

Thank you very much.

I call the next panel, Peter Smith, Vermont Wilderness Association, Belmont, Vt.; and Seward Weber, executive director, Vermont Natural Resources Council, Montpelier, Vt.; Dr. Wallace Elton, Vermont Audubon Council, Belmont, Vt.; Lowell Krassner, Sierra Club, Vermont chapter, South Burlington, Vt.; and E. Warner Shedd, National Wildlife Federation, East Calais, Vt.

I should note also that we have a statement from Senator Huddleston. I ask unanimous consent that Senator Huddleston's statement be made a part of the record.[1]

I would also note that each one of your statements will be made a part of the record in whole.

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[1] See p. 39 for the prepared statement of Senator Huddleston.

So feel free to give any part or all of it as you might like. I think what we might do, Bob, if it is OK with you, is go down through each of them and then raise questions.

I would suggest that because the Senate is going into a closed session early this afternoon—which has kind of squeezed everything else out and all other activities have to stop when that happens—that if you have a full statement, you could put it in the record, and then paraphrase it for us. Otherwise we are going to run into a very difficult time bind.

I will start with Mr. Smith from the Vermont Wilderness Association.

## STATEMENT OF PETER SMITH, VERMONT WILDERNESS ASSOCIATION, BELMONT, VT.

Mr. SMITH. I thank Senator Leahy and Senator Stafford for listening to us all again. I guess this is the third time for you, Senator Leahy, and several for you, Senator Stafford.

In spite of what my prepared testimony says, I am testifying on H.R. 4198, not 89, as my fingers typed on Sunday, and I am testifying on behalf of the Vermont Wilderness Association.

I will try and summarize things fairly quickly.[1]

As a professional biologist, I am concerned about the aspects of wildlife management, and wilderness management. I think there are a number of misconceptions that are involved with that concern, and it is primarily due to the fact that our eastern forests, and in fact the forests nationwide, have been so drastically altered prior to development of the forestry profession in this country.

The first forestry school, after all, did not get established until around 1900, long after our forests had been significantly altered and altered perhaps primarily because of the loss of one animal, the beaver. The picture has been painted of a forest that began on the Atlantic coast and stretched to the plains unbroken, and that is simply not true.

The early settlers, in fact, in Vermont and elsewhere actually harvested hay along the rivers, the result of beaver activity.

Those types of conditions have now returned to Vermont with the return of the beaver in the last 30-odd years. He is common enough now that you can find his dams, in fact, on the medium strip of I-91 in the Brattleboro area. He is abundant in all of the areas under consideration, perhaps particularly in the Aiken area which the State seems to have a little problem with. The Yaw Pond area has an extensive beaver meadow complex. It has been in existence for sometime, and probably best represents the type of habitat that was present in our State 200 to 300 years ago.

Something which we can, if we are prompt at this point, I think preserve in some small way for future generations.

I would like to comment just briefly on some of the material that has been presented from the Forest Service. We heard from Mr. Crowell earlier talking about the wilderness rating system, and I will not go into that. However, there are some statements that appear in a document that was prepared this past year called Wilderness in Vermont, dated May 1983.

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[1] See p. 46 for the prepared statement of Mr. Smith.

One statement, and I quote, says, "Openings in wilderness will be temporary and only result from natural disasters such as fire or blowdown".

That simply is not true. Those are probably very insignificant factors when compared to the activity of beaver.

Further, there are very definitely animals that specifically require large tracts of wilderness land, black bear being an obvious one, and bobcat and some others. It is interesting to note that in the draft and final RARE II, EIS, there were several species that the Forest Service identified as wilderness dependent, they included in Vermont the black bear, bobcat, lynx, and fisher.

As of May 1983, that has been changed somewhat and the Forest Service has concluded that these animals do not require wilderness since they also occur in highly modified habitats.

This is a little bit like saying that deer do not require forests and fields because they occasionally appear on the streets of Rutland or Montpelier. These are animals that obviously do and when they are forced out of their natural habitat, they do not long survive.

There is one final point in terms of wilderness that I would like to make and that is that there is a basic tenet in wildlife biology that says that the greater the habitat diversity the greater the number of species that you have, and by setting aside one small remnant of our State, 1 percent as a wild undeveloped area, we will increase that habitat diversity from that which ends at a highly managed forest to one step further, to one which is controlled primarily by natural forces. And that, in itself, should increase species diversity.

Switching to the bill itself under consideration, we have heard some testimony that the compromise arrived at in early September was significantly modified in some way between that time and when H.R. 4198 was passed, and as a person who worked very hard on that original compromise, and who has obviously been involved with it very much since then, I would say that the intent of that original compromise was to establish large tracts of land in the NRA that would be for wildlife dependent on this type of land and also to preserve the question of snowmobile trails and that sort of thing, and in that sense, there has been no change since that original compromise, and I think it is somewhat unfortunate to suggest that perhaps there has.

The intent was always there and the slight change in wording that has occurred more recently, perhaps clarifies it for some people, but I think the intent is the important part of it.

Finally, the question of release language. It is very much the hope of the Wilderness Association that there will be no change in the existing bill as it is written. It is, after all, a compromise. It is an intricate document that has, I think, as Representative Bongartz indicated, been worked over, word by word. It is composed of many, many parts, the deletion of any would have very significant repercussions, I think, for one side or the other in this process.

So that it is very definitely our hope that the release language will remain as drafted, the Forest Service will retain the right to look at these areas if they find areas in the future that are suitable. We hope and we think that most of those areas have been identified but certainly we would not want to preclude their finding more and studying them.

Thank you very much.

Senator Leahy. Thank you very much.

Next, Seward Weber, the executive director of the Vermont Natural Resources Council, Montpelier, Vt.

## STATEMENT OF SEWARD WEBER, EXECUTIVE DIRECTOR, VERMONT NATURAL RESOURCES COUNCIL, MONTPELIER, VT.

Mr. Weber. Thank you, Senator Leahy and Senator Stafford.[1]

During the discussion of the last year or so on this matter, the Vermont Natural Resources Council sought to play a moderating role. Our board of directors is on record in supporting the original 65,000 acres wilderness bill, but we have sought in every stage in the negotiations to reach an equitable compromise with solutions which recognize and accommodate the need of involved user groups.

The bill before you today is such a compromise and it is a compromise in the best sense of the word, I think. No one is fully happy with it, yet virtually everyone agrees that it is our best chance to resolve the issue now. Congratulations should go to the Vermont congressional delegation for its very careful and sensitive efforts in reaching this compromise.

The Vermont Natural Resources Council want to emphasize the practical reasons, in addition to the philosophical, for setting aside 41,000 acres of Vermont land as wilderness, and 22,000 acres of national recreational area. Together, they represent just over 1 percent of the State, our public land, land that belongs to all of us, those of us present, our children, and if they are responsible stewards, to their children.

Wilderness designation may well be called multiple use in the fullest sense of that concept. When one considers the Vermont forest as a whole, designating additional wilderness as a use category for lands suitable for that purpose is most appropriate.

This is public land we are talking about. The first priority for public lands ought to be to provide the things that private lands do not or cannot provide. If we are just talking about timber production, or even firewood, the private sector can and will provide these things economically.

Instead of looking at these areas' roadlessness as an economic drawback to be overcome with a taxpayer subsidy to get at its potential of 1.75 million board feet, we should consider the lack of access and economic benefit. Wilderness areas benefit by being remote, timber areas do not.

Others will undoubtedly catalog the values these areas include: splendid mountains, high ridges with scenic outlooks, a marvelous quaking bog in Upper Big Branch, ravines, rushing streams and so forth.

There are a few others, sometimes misrepresented, which we would like to point out and among them, the most pertinent one is that of the existing 90 miles of roads in the proposed areas, only 2½ miles will be lost to wilderness, 16½ miles are in the national recreation area and will remain open. Of course, this does not include many miles of old logging roads which are part of the landscape and which do not presently provide vehicular access.

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[1] See p. 50 for the prepared statement of Mr. Weber.

These old logging roads will revegetate themselves over time and will not have a significant effect on the wilderness character of the lands under consideration.

One point which VNRC would like to emphasize and which may not be covered today is the argument in favor of preserving genetic diversity.

Wilderness is one practical way we can guarantee the conservation of genetic diversity and at the same time promote other goals, one of which is to provide invaluable baseline data for the study of critical plant and animal species and environmental threats such as acid rain. Another is watershed protection, in that many important trout streams, rivers, and aquifer recharge areas have their origins in these vital watershed areas.

Vermont has one of the smallest percentages of publically owned land in the country. Public lands and wilderness areas are mostly located in sparsely populated western parts of the United States, while the relatively high density northeastern population has little access to anything approaching a wilderness experience. I should note parenthetically that the Forever Wild Lands of the Adirondack Park fall short of the wilderness experience Congress intended when it passed the Wilderness Act of 1964.

Over time, as development pressures impinge on surrounding lands, our wilderness acres will become more precious and unique. As their wildness distinguishes them from neighboring lands, they will be sought after by Vermonters and tourists alike, seeking respite from the internal combustion world of the northeast.

Setting aside 1 percent of Vermont's land area now as wilderness is a statement in the best tradition of the Green Mountain State, a statement to our residents, friends, and future generations that at least a tiny portion of our special State will remain forever wild.

The Vermont Natural Resources Council asks that you approve the designation of the wilderness areas proposed in the Vermont wilderness bill, and the formation of the White Rocks National Recreation Area.

Thank you very much.

Mr. **Leahy**. Thank you.

We will now hear from Dr. Elton, from the Vermont Audubon Council.

## STATEMENT OF DR. WALLACE ELTON, PRESIDENT, VERMONT AUDUBON COUNCIL, MIDDLEBURY, VT.

Dr. **Elton**. Thank you, Senator Leahy.[1]

I am speaking today on behalf of the Vermont Audubon Council and its 2,500 members in Vermont, and I would also like to add that I represent the National Audubon Society at this hearing, also, and both organizations endorse H.R. 4198.

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[1] See p. 54 for the prepared statement of Dr. Elton.

This bill, as has been pointed out, is a compromise and as such it had a long gestation period. Senator Leahy, Senator Stafford and Congressman Jeffords reached their final decision on the content of this bill by a process that I am pleased and indeed a little bit proud to have participated in and I wanted to make sure that this subcommittee and the committee are aware of the background of the bill, and the process by which it was designed.

The process really began in 1979 at the hearing by the Committee on Agriculture, Nutrition, and Forestry that Senator Leahy mentioned earlier, in my hometown of Middlebury, on the subject of the RARE II recommendations for Vermont. Following that hearing, under Senator Leahy's initiative, there was an attempt at professional mediation of the differing views of wilderness supporters and opponents. Unfortunately, that mediation attempt collapsed largely because the opponents of further wilderness designation were not willing to agree to the basic principles of mediation that were set forth at the time. The delegation continued to seek a consensus among the different interests on the question of wilderness designation but that eluded us through 1982.

Finally, in March of last year, 1983, in order to break this continuing deadlock over the status of lands reviewed under RARE II, the Vermont delegation introduced legislation to designate 65,000 acres of the Green Mountain National Forest as wilderness. In our view, this was the key that eventually made the compromise possible because it made it clear to all parties, including some of those who had been unwilling to talk up until that time, that it was in everyone's best interest to begin discussing the specifics of that bill. We believed at that time and still believe that that original legislation was reasonable both in terms of acreage, affecting as it did about 1 percent of Vermont's area, and from a statewide perspective in terms of its impact on conflicting uses.

We also knew, however, that the local impact in some cases, most notably snowmobiling, could be much more significant. We made it clear therefore, that we were willing to talk to representatives of other interests and consider possible changes to minimize that impact.

Over the following months, two public hearings were held in Vermont, one by all three members of the delegation in May and one by the House Public Lands Subcommittee in July.

Approximately 200 people spoke at those hearings with their comments running about 2 to 1 in favor of the proposed legislation and many other people submitted written comments.

As early as June, I and other representatives of conservation groups met informally with leaders of some snowmobile clubs and a member of Congressman Jeffords' staff. This initial meeting was very encouraging. The snowmobilers indicated that they shared our concern about the future of the areas in question and we expressed our hope that by emphasizing our mutual interest, we could reach some accommodation. Together we discussed some preliminary ideas for reconciling our objectives.

Then, in late summer, continuing into September, there was a series of formal negotiating sessions among representatives of a variety of organizations and interest groups, including snowmobilers, timber people, sportsmen, trappers, and wilderness advocates.

These were conducted, and I might add, in a very able fashion, by members of the staffs of Senators Stafford and Leahy and Congressman Jeffords.

The negotiations focused not on acreage but properly on specific problems in specific places and possible ways of dealing with that. The sessions were lengthy and sometimes tense. But out of them emerged the framework for a compromise plan that is embodied in H.R. 4198.

Inevitably, I suppose this compromise has not been accepted by all who were involved but I believe that a real attempt was made to address all concerns and interests. I strongly believe that the process was a constructive one which has increased understanding between groups and has broadened the basis of support for wilderness in the State. We, therefore, endorse the compromise bill and urge its prompt approval so that this lengthy controversy over wilderness in Vermont can be finally resolved.

I would like to add at this point, in light of Secretary Crowell's comments earlier this morning, that at the hearing in Manchester the supervisor of Green Mountain National Forest specifically stated that it would be helpful in his planning process if the Congress could resolve the status of these lands at this time, rather than wait until the planning process was complete.

I would like to say a few words about the compromise itself. It is a package, all parts of which are essential. The five areas to be designated wilderness totaling about 41,000 acres encompass the most remote and some of the most environmentally sensitive land and their boundaries have been refined so that conflicts with existing incompatible uses are minimized.

The proposed White Rocks National Recreation Area provides protection for wild land originally considered for wilderness designation, but allows snowmobiling and controlled wildlife habitat management and permits specified roads to remain open. This unit is a vital part of the compromise package for three reasons: First, as an outgrowth of the negotiating process described earlier, in which many people participated in defining the area, it is an important element in making possible broad support for the compromise as a whole.

Second, it provides specific protection against mineral leasing and roadbuilding, which we believe the areas in question deserve, and without this classification they would not receive that protection. Third, in conjunction with the two adjoining wilderness areas, it will provide in the future extensive wildlife habitat for species that prefer old growth forest cover generally free from human disturbance. This is a goal of particular importance to Audubon.

The draft committee report language is also crucial in outlining the intent of all parties in their—in agreeing to the national recreation area.

This would be a convenient place for me to stop and you can read the rest of the statement.

Senator **Leahy**. Fine.

Dr. Elton, I understand you have some material that you want included in the record, some newsclippings.

Dr. **Elton**. Yes, Senator, actually attached to my statement is a copy of one of Congressman Jeffords' polls that he conducted and also I gave one of your staff members earlier some editorials and so forth from Vermont newspapers.

Senator **Leahy**. We will doublecheck which ones of those you want, but by unanimous consent we will put them in the record.[1]

We will doublecheck and make sure that we get exactly the right ones and then they will be put in the record with the statement.

We will go now to Lowell Krassner, from the Sierra Club.

## STATEMENT OF LOWELL KRASSNER, VERMONT CHAPTER, SIERRA CLUB, SOUTH BURLINGTON, VT.

Mr. **Krassner**. Thank you, Senator.[2]

I thank you both for coming once again to hear much of the same material, but I hope I will be able to add a little bit additional.

The Sierra Club, both nationally and the Vermont group, supports this legislation. I wanted to speak in particular today about the release and sufficiency language.

We know that this has been a controversial issue but we would like to go over a few points there.

First is that this language has worked on several other wilderness bills which you have passed. There has been no difficulty experienced in certainty and planning because of the release language that is contained in the current bill. We know that the Forest Service officials working in the field have stated that they have had no difficulty in working under the release language, within States that have had wilderness bills passed, and we know that this provides maximum flexibility for their professional management of these lands and for their further planning in the future.

For Vermont, there is a very special case here, the national forest in Vermont is not 100 percent federally owned. It is actually only about 50 percent federally owned. Much more land is authorized to be within the national forest.

As the Forest Service gradually acquires desirable tracts for the Green Mountain National Forest, it should have the full range of planning available to it, so that, should it decide that a particular new acquisition was eligible for wilderness consideration, it should be free to plan that area in that context.

All these new areas which may be added will be contiguous, most likely, to the present ownership of the forest, and it would be artificial to discriminate between the planning for any newly acquired lands and for any contiguous already owned lands; therefore, the full capability, planning for all uses under the Multiple Use Act should be available to our staff in the Green Mountain National Forest. I would further point out that of course, the Multiple Use Act does recognize wilderness as a very valid and reasonable purpose under its aegis. I think that is sufficient to cover the Multiple Use Act and the sufficiency language.

I would like to add one other point that has not been taken up here, and that is that the Forest Resource Advisory Council of Vermont has already shown in the past quite substantially that all the timber supply needs of Vermont, as expressed in the total timber harvest that comes out, can very reasonably be met from private lands in Vermont. The public forests really is not an essential constituent of timber supply. It is good management on private lands, that in Vermont provides the majority of our timber.

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[1] See pp. 58–68 for a reprint of the articles inserted at the request of Dr. Elton.

[2] See p. 69 for the prepared statement of Mr. Krassner.

Senator LEAHY. Thank you very much and the last witness in this panel, Warner Shedd, of the National Wildlife Federation.

## STATEMENT OF E. WARNER SHEDD, NEW ENGLAND REGIONAL EXECUTIVE, NATIONAL WILDLIFE FEDERATION, EAST CALAIS, VT.

Mr. SHEDD. Senator Stafford, Senator Leahy, thank you for this opportunity to testify.[1] I am representing the National Wildlife Federation, which I am sure you know is the Nation's largest citizen conservation organization and of course the Vermont Natural Resources Council is our Vermont State affiliate.

I am happy to say that the National Wildlife Federation fully endorses H.R. 4198, and we endorse it for two major reasons as well as a lot of lesser ones which I will not go into.

The first is our concern for wildlife management, and in this particular instance for the needs of so-called deep woods species of wildlife, those species which thrive best in remote areas away from heavy human activity.

These particularly include the black bear, the bobcat, the pine marten, the pileated woodpecker, and similar species. As you know, I am sure, Vermont has abundant habitat for so-called edge species of wildlife which thrive in proximity to human activity, species such as deer and grouse. We have plenty of that, but the remote habitat for deep woods species is rapidly shrinking, and that is our concern.

There is really one place in the State of Vermont where large, remote tracts can be set aside to assure the future of these species, and that is the Green Mountain National Forest, and we feel that this bill adequately takes care of the future of these species in the State of Vermont.

Our second reason for endorsement is that this bill, and particularly the National Recreation Area and the wilderness which it encompasses, represents a very carefully crafted compromise between various interests—wilderness and competing interests; to give one example, snowmobiling. We feel that this lengthy process has done an excellent job of addressing all needs, all concerns; obviously, it does not please everyone, but we think it is a very well-designed, and well put together compromise.

In saying that, I would like to also warn that we believe that any tampering with the compromise, as it is presently represented, could be a very dangerous thing, and that if one element of that compromise is changed to suit this group or that group, that that whole carefully constructed edifice could come toppling down, so we urge passage of this package as it presently exists.

We also favor the so-called soft release language. We certainly do not see any major wilderness areas down the road in Vermont for a considerable number of years, but we do not want to preclude the possibility that at some point acquisitions by the Forest Service might make this possible.

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[1] See p. 79 for the prepared statement of Mr. Shedd.

I would now like to turn for a couple of minutes to a somewhat more personal perspective on the need for wilderness in Vermont. I think you have heard a great deal of excellent technical testimony, but I would like to dispel one or two myths. I think one myth which constantly disturbs me is the notion that wilderness enthusiasts are some kind of a tiny band of elitist zealots—they have been called tree huggers and posy sniffers, among other things. Probably we are all guilty of that once in awhile, but we are not all flatlanders come from the big city to the State of Vermont to try to impose wilderness on Vermonters.

I am a native Vermonter. I was raised on a farm. At the age of 5 my grandfather took me fishing for the first time, and at that point I became a lifetime outdoor addict. I have never gotten over it.

At the age of 9, I started taking to the woods alone with my .22 rifle and began hunting seriously, going after small game, squirrels, grouse, and things of that sort. At that point, I really began to look and to listen and notice what was going on around me. I learned to stalk, I learned to be patient, and I learned to listen, and at that point I found out that human noise was my enemy, whether it was noise which I made or noise which someone else made, because it was destroying the things I was trying to listen to and the things I was trying to accomplish. I have also never gotten over that experience. I still value freedom from human noise very greatly.

As I grew older, I became one of that group of sportsmen that by emulating older sportsmen and sportswomen whom I admired became one of that group who took pride in working a little harder, being willing to walk back in 5 miles for better fishing, and so forth. That was still easy to do in those days. When I was in college, I used to, on weekends, sometimes take a backpack and a sleeping bag and my fishing rod and compass and topographical map and set out to explore some remote pond or stream. That was easy to do in those days. Logging was a relatively benign activity. The philosophy then was to bring the logs to the truck, and consequently logging roads tended to be simply narrow skid roads that horses or light tractors could use, and so forth.

All that began to change, and it changed rather slowly and insidiously. It took a number of years before I realized the extent of the change, but eventually I formulated what I have come to call Shedd's law, which is that anyplace human beings can go with a vehicle, they will go with a vehicle, regardless of how difficult it is. Logging philosophy changed. Now it was build roads and bring the trucks to the logs. Logging roads began to invade hitherto remote areas. So did skid trails, giant skidders, large bulldozers. Many people began to acquire 4-wheel drives and trail bikes and vehicles of that sort.

When my two sons became old enough to start to go camping and hunting and fishing with me, I looked forward to taking them on trips and giving them some of the experiences that I had enjoyed.

We went to many places, carefully planned our trips to many of what we thought were remote areas in northern New England, including Vermont. Time after time after time, when we arrived there we were bitterly disappointed because we found that logging roads, skid trails, 4-wheel drives, trail bikes, had invaded the area and we could not find the remoteness, the seclusion, the quiet that we wanted. Last spring a fishing partner and I went back into the Big Branch area, what is now proposed as the White Rocks National Recreation Area. We spent 4 days in there, and miraculously the clock was turned back. It was remote. Certainly, there were skid trails in there and so forth, but it was remote. It was wild, and it was quiet, and all that time the only sounds of human activity we heard were a few airplanes and once a motor so distant that we could not tell whether it was a truck or a chain saw.

That, I think, is what this bill is all about. It is preserving those areas in the State of Vermont so that my children and the descendants of them and of all of us can someday enjoy the same sort of remoteness—peace and quiet—that many of us used to enjoy.

I recommend the speedy passage of this bill as a means of preserving those values for all time.

Senator LEAHY. Senator Stafford?

Senator STAFFORD. Thank you, Mr. Chairman.

I will simply express my appreciation to all of you for coming down here and eloquently testifying this morning in support of this legislation.

Without being entirely serious, I will say to Warner that in view of his aversion to human noise, I particularly admire his courage in coming down to this city.

Thank you, Mr. Chairman.

Mr. SHEDD. Mr. Chairman, could I just enter this into the record, please?

Senator LEAHY. Yes, I will note for the record that Mr. Shedd has a diary of the trip that he has talked about and that that would be noted for the record. The actual diary will be kept in Senator Stafford's office, as the chairman of the Vermont delegation.

I should also note a personal thing, that I have gone through that diary and I am extremely jealous of Mr. Shedd. I want to go out and do some of the same things. I hope I have a chance to do it next summer. I think the thing that he talked to me earlier about, that appealed to me the most, was no telephones.

If I can get a little time alone with my family, I can handle just about any kind of noise, except the telephone.

I have no questions to this panel, only a statement to say thank you to each one of you. You are among that same group that I talked about earlier today, who spent enormous numbers of hours, a great deal of your own time and effort, in helping us to reach a compromise here, and I applaud you for it.

Thank you very, very much.

The next panel is comprised of Bruce Shields, chairman of the Vermont Forest Coalition, North Wolcott, Vt.; John McClaughry, member, Vermont Forest Coalition, Kirby, Vt.; Peter Coppelman, director, forest wilderness programs, Wilderness Society, Washington, D.C.; John Hall, vice president for resources, National Forest Products Association, Washington, D.C.

Again to follow the way we have done in the past, Mr. Shields, if we could start with you, we will go to Mr. McClaughry, Mr. Coppelman, and Mr. Hall.

Your full statement, of course, will be in the record.

You may give any part of it that you would like.

## STATEMENT OF BRUCE SHIELDS, CHAIRMAN, VERMONT FOREST COALITION, NORTH WOLCOTT, VT.

Mr. SHIELDS. Thank you.

I have made mention in my statement of the Vermont Forest Coalition statement of principles and the Vermont open forests resolution. I would like to be certain those are also included in this record.[1]

Senator LEAHY. Without objection, those two will be included.

Mr. SHIELDS. That would be fine.

Senator LEAHY. They will be included in full following, or directly with your testimony.

Go ahead, Mr. Shields.

Mr. SHIELDS. I am Bruce Shields of Wolcott, Vt., owner of 200 acres of forest land and a small maple sugar orchard. I coordinate activities for the Vermont Timber Truckers and Producers Association, a trade association. I am elected chairman of the Vermont Forest Coalition, and its sole official spokesman. John McClaughry will also be speaking on behalf of our organization.

The Vermont Forest Coalition is constituted of 14 Vermont-based resource-using groups with aggregate of about 65,000 members. The list is appended. That with our statement of principles is to be found in the report to the House.

My statement falls under two heads: Why the Vermont Forest Coalition [VFC] opposed bill H.R. 4198 and its predecessor, and what we have accepted as a compromise position. During the spring, since the VFC was not organized, many of us as individuals stated that the real cost of losing multiple-use management would be repaid by purely theoretical benefits of wilderness. But, because wilderness designation has become a political matter, and emotion is the basis of politics, what I wish to convey to you is the emotional basis of our opposition.

Last summer I stopped at the home of a retired acquaintance who asked me, "How could any rational person oppose wilderness?" Like many educated and urbanized Vermonters, he classes wilderness with baseball, hotdogs, apple pie, and motherhood. Yet, many rural Vermonters feel just as surely that wilderness is immoral. Our sense of the immorality of wilderness needs explanation.

For generations, the traditional way of life in rural Vermont has depended on cooperation among neighbors. When trouble comes, we pull together to help rebuild the burned out barn, to reclothe, to feed, to help out with jobs and so on. For a neighbor, we help out, and make do.

A major source of wealth and employment in rural areas is timber. A landowner who withholds timber from harvest denies potential employment to those who live around him, is in a word unneighborly. A landowner who posts against hunting, or who bars snowmobiling is similarly unneighborly. That word, unneighborly, has the same savor to a rural Vermonter as scab has to a tradeunionist.

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[1] See p. 82 for a reprint of the material inserted by Mr. Shields.

Wilderness designation makes Uncle Sam unneighborly. The managers of these tracts in the national forest are deprived of their ability to respond to local needs. Recreation and jobs are the two most important local needs. I have elsewhere shown that 30 to 50 jobs would disappear with full wilderness designation. Wilderness advocates speak of the timber industry, as if some vast impersonal corporation of timber opposed them. But these jobs belong to self-employed independent family men. Though the loss of work would be diffuse, the effect of wilderness designation on these individuals is real.

For example, to name some names: Ray Colton in Pittsfield, Jon Martin or the Cole Brothers in Mount Holly, Bomer Brown in Jamaica, Will Poszobut in Rutland, and a score of others, regularly bid on jobs on national forest and on private ownership situated every direction from their homes. Their home is central to their work. Wilderness designation cuts off work on one side. Their home is then no longer at the center of their operations.

The same is true of sawmills. At least 7 sawmills having aggregate employment of about 150 persons lie less than 10 miles from the wilderness areas proposed. They have traditionally relied on timber cut in these areas. To replace the adjacent timber, they will have to transport from 5 percent to 20 percent of their timber needs longer distances on large trucks—just when the Surface Transportation Act of 1982 imposes large new taxes on such trucks. None of them is going to fold up the day wilderness is signed; but as the owners retire, or after a fire, several of these mills will simply disappear.

That brings me to the second point. The VFC never opposed wilderness as a land use. Most VFC member groups and many individuals participated in the Green Mountain National Forest management planning process, approved of the process, and looked forward to publication of the plan. We knew that some wilderness would be designated in that management plan. Because of the broad based and orderly participation in the process, we had confidence in the fairness of land management policies that might be proposed there. By contrast, we had little confidence in the kind of scrutiny given during the legislative process to various alternative uses for the lands here under discussion.

The proposal before you for a national recreation area was designed to meet our concerns halfway on at least part of the land. Many people in the VFC approved the NRA plan in principle in a meeting early in September. That plan would have permitted semiprimitive recreation and circumscribed timber harvest. Somewhere between the meeting and appearance of the bill on the floor of the House, sufficient restrictions were placed on the NRA to make it unacceptable to any of our members.

The proposal of Senate report language now before you restores to the bill our original understanding of how the NRA lands would be managed. The Vermont Forest Coalition accepts the management provided for in the draft Senate report, believing that these provisions will unambiguously replace the report attached to H.R. 4198 when it came to you. We have discussed this draft with Forest Service staff, and with Bob Paquin of Senator Leahy's Montpelier office. While this is far from what we consider ideal, it is acceptable.

Thank you.

Senator LEAHY. Thank you very much, Mr. Shields.

And your statement also has a list of, along with a number of the different groups that you represent and that, of course, will be a part of the record.

[The following information was received by the committee:]

### MEMBERS OF THE VERMONT FOREST COALITION

Vermont State Farm Bureau; Vermont Association of Snow Travellers; Vermont State Grange; Vermont Federation of Sportsmens Clubs; Vermont Maple Sugar Makers Association; Vermont Sportsmen's Alliance; Vermont Skiareas Association; Vermont Trappers Association; Vermont Timber Truckers and Producers Association; Green Mt. Section, Society of American Foresters; Vermont division, National Rifle Association; Devils Den Committee; Bristol Cliffs Association; and Vermont Taxpayers Association.

Senator LEAHY. I understand that we have just been informed that Peter Kirby has substituted for Peter Coppelman, is that correct?

Our next witness will be John McClaughry, a member of the Vermont Forest Coalition, Kirby, Vt.

Welcome, Mr. McClaughry.

I'm glad that the difficulties that you encountered with the airplane this morning have been taken care of, and you are here.

## STATEMENT OF JOHN McCLAUGHRY, MEMBER, VERMONT FOREST COALITION, KIRBY, VT.

Mr. McCLAUGHRY. Thank you, Senator Leahy.[1]

It is a pleasure for me to come down from Vermont this morning and testify in opposition to the wilderness legislation sponsored by the two Senators present at the hearing.

Mr. Chairman, my name is John McClaughry.

I am a resident of Kirby, Vt., and I have been involved in the Vermont wilderness controversy for the past 8 years as a member of or adviser to the Devil's Den Committee and the Vermont Forest Coalition. In addition, by way of background, I am a life member of the Nature Conservancy, and I live on a mountain in the remote Northeast Kingdom of Vermont because I like living back in the wilderness.

While I am opposed to the enactment of this legislation, I will not attempt to address the practical questions of management plans, relocation of trails and boundaries, wildlife management, and so on. Rather, let me address a broader phenomenon: The demand for wilderness, and the process by which this bill now comes before you.

The bill before you recites the urgent need for more wilderness preservation in Vermont and claims these lands are increasingly threatened by the ravages of the human race. There is simply no evidence whatever for these statements. It is a case of advocates reciting a litany until they come to believe it is true, and expect Congress to believe it is true.

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[1] See p. 87 for the prepared statement of Mr. McClaughry.

Now if wilderness hikers were putting severe pressure on the existing Vermont wilderness areas, a practical case could be made for additional wilderness designation. What are the facts? The facts are that, according to Forest Service figures, visits to Vermont's existing wilderness have been decreasing since 1979.

The truth of the matter is that the less existing wilderness is visited, the more the wilderness advocates demand. This is so because the demand for wilderness designation in Vermont is simply theological. The wilderness zealots have this inner compulsion to force Congress to set aside more wilderness as an act of atonement, and the amount of atonement required simply cannot be calculated by any process involving facts.

What outrages so many Vermonters about the demands of the wilderness zealots is not so much the possibility that additional acreage of the Green Mountain National Forest might be declared off limits to certain uses. I am quite confident that Vermonters could, through a process of mutual accommodation, reach an acceptable consensus about how this great natural resource should be managed for the benefit of all. And I am also confident that the men and women of the Forest Service in Vermont would be highly receptive to such a consensus as they prepare the land management plans required by law.

The wilderness zealots, however, spurned any such process. They established a nonnegotiable demand: That Congress must act to lock up large areas of the people's forest, in perpetuity, so that other Vermonters of today and tomorrow and the next century may never again have the opportunity to come together to modify or alter the decision made in 1984.

In doing so, in taking their case to a Congress many miles away, 532 of whose Members know little and care little about Vermont, the wilderness advocates have spurned our traditions and scorned our claim to be free and equal citizens. The process they have urged upon you—the permanent designation of wilderness by Congress—in effect, strips us of our citizenship. These fellow citizens of ours, these wilderness people, do not think us, and those who may follow us in our occupations and avocations, to be worthy to come together and decide this public question. They seem to be convinced that we will deface and destroy our forest heritage, and must therefore be forbidden by congressional fiat from ever again having any say over how use conflicts are to be resolved, right here in our own State, in the shadow of our own forests and mountains.

We who oppose this permanent wilderness designation bill want to accept responsibility for our forest. We want to work with others, even those with sharply differing opinions, to preserve our birthright—both the natural resource and awesome beauty of our forest, and our civic heritage as freemen of Vermont. What we cannot accept is the proposition that we, and our descendants, should forever be precluded from having any say in something where we feel we have a right to be heard.

This steadfast rejection of their fellow Vermonters as citizens, this insistence that the decisions be taken from our hands for all time, and turned over to Congress—that is what really lies at the heart of the opposition to the designation of ever more wilderness in Vermont.

We want to retain and preserve our kind of political life—human scale, community based, face to face, where we can truly strive to become virtuous citizens of our little republic. We are appalled at the thought of being swallowed up in a monstrous political system, a system full of paid lobbyists and pressure groups, logrolling and dealmaking, games and charades, media manipulation and power politics, where decisions about what is vital to us and to our communities are made not by us, but by others far away, who have no personal stake in things vital to our lives.

Passage of this bill will once again ratify that appalling process. My appeal to you gentlemen is simply this: Stop this machine. Take the gun from our heads. Ask us, advocates and opponents alike, to go back to Vermont, come together around a table, give and take as free and equal citizens, advise the Forest Service of whatever consensus we may be able to reach, and resolve this controversy as citizens. Recreating such a process would eventually resolve this controversy. It would not satisfy the more extreme high priests of the wilderness movement, who seek to deny us a role forever so that their special interests can be advanced. But in the long run, it would strengthen our political life, give us new faith in the vitality of our political traditions, and reaffirm our citizenship as Vermonters.

Mr. Chairman, I would like to add to the record if I may an article that appeared in the Rutland Herald last summer, which bears upon this topic.

Senator **Leahy**. Without objection, the article will be included in the record at the conclusion of your prepared testimony.[1]

Mr. Kirby, we have met before, I want to be sure for the record of your title.

Mr. **Kirby**. Yes, I am the director of the forest management programs at the Wilderness Society.

Senator **Leahy**. Would you please go ahead with your testimony, sir?

## STATEMENT OF PETER KIRBY, REPRESENTING PETER D. COPPELMAN, DIRECTOR, FOREST WILDERNESS PROGRAMS, WILDERNESS SOCIETY

Mr. **Kirby**. Thank you, Mr. Chairman.

May I also add before beginning that I am a member of the part-time faculty at Vermont Law School.

The Wilderness Society supports the House-passed Vermont wilderness bill which would add about 41,000 acres of wilderness to the Green Mountain National Forest.[2] This represents a compromise down from the 65,000 acres of wilderness contained in the original legislation introduced by the delegation last year. We support this compromise nonetheless because of the additional consensus which has been gained for the bill among the various interest groups in the State. As this committee takes up this legislation, however, we must stress that an essential element of the compromise for the society and other conservation groups is the retention, unchanged, of section 105 with its soft release formulation. As Senator Leahy said at the outset, this formula is an integral element of the bill.

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[1] See p. 90 for a reprint of the above-referred-to article.

[2] See p. 93 for the prepared statement of Peter Coppelman of the Wilderness Society.

Mr. Chairman, concern has been expressed by the chairman of this committee that the soft release formulation which Congress has used in all of the RARE II bills which have become law, might be inadequate. In particular, the chairman points to a congressional research analysis recently completed which notes that "* * * a literal reading of the soft release language could force reexamination of the wilderness potential of some areas as early as 1986." We object to relying on the CRS analysis as a basis for altering the statutory soft release formula on a number of grounds. First, the analysis inadequately considers the legislative history of soft release; second, it inadequately considers regulations implementing the Resources Planning Act; third, it addresses a purely hypothetical problem. Our testimony goes into much more detail in these points.

Let me very briefly address simply two of them at this time.

The CRS analysis gives the impression that revisions to forest plans would be a common occurrence. CRS fails to mention that the regulations contemplate three types of alterations in forest plans—amendments, significant amendments, and revisions. The first type of change is an amendment which can occur, for example, when there is a difference between proposed annual budgets and appropriated funds. The second kind of change is a significant amendment which is of such magnitude as to require an environmental impact statement. Only the third type of change is a revision which requires that the plan be redone. Only scheduled revisions involve reconsideration of wilderness. And under the law and regulations these will normally occur only 10 or 15 years after the initial plan.

In short, Mr. Chairman, the release formula does provide the certainty for the lands put in nonwilderness, while at the same time allowing for minor changes in the upcoming forest plan which will not require that the wilderness option be reviewed.

Second, and last, the concern addressed in the CRS analysis that revision of a forest plan will "force a reexamination of the wilderness potential of some areas as early as 1986" is highly, highly speculative. It is significant that in a letter dated June 5, 1981, from Chief Peterson to Senator Malcolm Wallop, there appears the following question and response:

> *Question.* The sufficiency/release formula found its way into other laws—Colorado, Alaska, and New Mexico. Has there been any difficulty with management of nonwilderness lands in those States as a result of the compromise? Has someone found a loophole? Have there been complaints from individuals in those States that it does not work?
>
> Response. The management of the nonwilderness in Colorado, Alaska, and New Mexico is proceeding in an orderly planned manner. We do not have any lawsuits in these States. We are not aware of any loopholes or major complaints in these States.

As noted, the soft release formula as found in the Vermont bill now has been in all of the RARE II bills that have become law.

Why change a good thing? If the formula is not broken, why fix it?

In sum, Mr. Chairman, the real dispute about release is whether lands should be released for one generation of forest plans, two generations, or all future forest plans, as Secretary Crowell recommended this morning.

We are skeptical about the criticism of soft release that it won't accomplish its stated objective—which we support—of releasing lands for the first generation of plans. We believe changing the formula is just an attempt to get the nose of the camel into the tent; in other words, it is a tactic to reopen the whole release debate.

We urge the committee to stay with the consensus release formula and move speedily to pass this bill.

Thank you.

Senator **Leahy**. Thank you very much, Mr. Kirby, and I also hope that you enjoy the experience of teaching at Vermont Law School. You will certainly get a chance to experience during the school year every single extreme of our temperature up there, one of the prettiest parts of the whole State.

Mr. Hall is the vice president for resources, National Forest Products Association, here in Washington, and please proceed, Mr. Hall.

## STATEMENT OF JOHN F. HALL, VICE PRESIDENT, RESOURCES, NATIONAL FOREST PRODUCTS ASSOCIATION

Mr. **Hall**. Thank you, Mr. Chairman.[1] I also will address this question of release which Mr. Kirby touched on, quite a few of the background problems.

There are two portions of your bill, both in section 105 to the so-called sufficiency language and the release language, which, as the jargon has been known in the last few years, dealing with some of the litigation that has surrounded the RARE II process, and its implementation. Sufficiency, which you address, first in section 105, simply asserts that for the purposes of the areas in Vermont, the Forest Service RARE II program process is deemed legally sufficient and is not subject to any further judicial review. We do not in this bill pass on the other States, on the problems that may exist there.

The other item surrounding the RARE II process is that of release and simply the release from further consideration for areas not selected or not provided in this bill as wilderness areas. It was one of the objectives of the RARE II process, indeed part of the RARE I process, that the Forest Service be able to identify those areas which were to be administered for wilderness uses to the preclusion of other managed activities and at the same time identified the rest of the areas for national forests' multiple uses plethora of activities that occur on these lands and, of course, in the seventies there were two RARE II recommendations.

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[1] See p. 103 for the prepared statement of Mr. Hall.

It is our recommendation that the planning process be allowed to continue unfettered by further recommendations or consideration of areas for wilderness. We recommend that the process that you are going through now, endorsing in part and amending in part the RARE II recommendations for your State, that you select those areas which you believe are of wilderness character, and should be designated wilderness and that the rest of the areas be recognized as not currently of wilderness character and that the Forest Service in its planning between now and some date certain, we in the administration have recommended in perpetuity, Mr. Coleman and the House committee, House Interior Committee, have agreed, so called first generation release, namely, that those plans currently under process need not look at the characteristics of areas which you have not designated as wilderness.

Indeed, the prior witnesses, the former panel, repeatedly described the bill before you as a compromise, not only in the acreage designations, but also in the other provisions, suggesting that the compromise is as good as it is, until they can get to another forum in which to get and attack or review the wilderness capabilities of the other lands. That other forum, frankly, is the national forest planning process. This forum, the Congress is always open to amend, to enlarge, or to restrict the wilderness areas of the Nation, and there is no limitation suggested on the ability of the Congress to consider alternatives.

The other most available forums are either the administrative process through the national forest planning process, or, of course, judicial review of alleged inconsistencies, inadequacies in that planning process. Frankly, it is our contention and concern that left unclear the opportunities will be greatly enlarged for litigation challenging Forest Service decisions during the implementation of any management plan and especially in the years in which the Forest Service is beginning its work, aiming toward the next plan. The fact that Mr. Coppelman and I disagree on some of these issues is clear indication that there is a problem; excuse me, Mr. Kirby's testimony relies in part on the definition or the distinction between the word "a" and the word "the" in a portion of the national forest regulations, and the scheduled insignificant management revisions, all these suggest that there is indeed a question that has yet been resolved and in fact, Mr. Kirby clearly points out that it is only if the courts will find that there is an inconsistency or some uncertainty in the legislative language that it gets to the report language which the House committee has provided most clearly in the California bill, which has not yet become law but which is also referred to in other wilderness bills which have become law

As you in your colloquy with John Crowell developed, the Congress and the administration did not heed each other's suggestions, the same situation exists between the Congress and the judiciary, which is composed of highly individualized men and women, and they often do not agree fully that there is a problem that deserves looking at the further legislative record.

For that reason, we recommend that you designate the areas for wilderness and at the same time provide assurance. Our preference is not perpetuity, certainly the language in the Wyoming bill passed last year, that provides that there will be no wilderness review of areas until the year 2000, rather than simply the next generation.

Because as Mr. Coppelman pointed out, the Congressional Research Service has suggested the possibility of the literal interpretation of the so-called soft release language as permitting a review of this issue in 1986.

Mr. Kirby disagrees, of course, with that conclusion. I simply say that it indicates that this is a possibility that a court could, upon petition by a local environmental group, agree that the Forest Service has an obligation to look at those areas almost immediately following the adoption of the plan currently in process.

Mr. Chairman, I thank you for letting us present that view and recommend that you do come down on as clear a statement of this committee as to the nonobligation of the Forest Service to review those areas in the near future.

Senator LEAHY. Thank you very much.

Bob, do you have any questions?

Senator STAFFORD. I have no questions.

I appreciate the help that all of you have given us as witnesses here this morning.

I particularly want to welcome John McClaughry, who I know to be a very intelligent, honorable man, with whom I had close contact a couple years ago.

I just want to thank you all. I have got a date with you later, John.

Mr. MCCLAUGHRY. Not too close, Senator, as I recall.

Senator LEAHY. I want to thank you very much, and with that, the subcommittee will adjourn.

The record will stay open for the rest of this week, if anybody wants to add anything.

[Whereupon, at 12:17 p.m., the subcommittee adjourned, subject to call of the Chair.]

# APPENDIX

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## STATEMENT OF HON. WALTER D. HUDDLESTON, A U.S. SENATOR FROM KENTUCKY

Mr. Chairman, H.R. 4198 would designate 41,260 acres of national forestland in Vermont, in five tracts, as wilderness. The bill would also establish a national recreational area containing 36,400 acres, in Vermont's Green Mountain National Forest. Two of the wilderness areas covered by the bill would be within this national recreation area.

It is my understanding that this bill has the support of the entire Vermont delegation and that various groups having divergent interests in this land worked together in developing the legislation. Local citizens and organizations are well qualified to determine the uses of certain parcels of national forest land. Developing the legislation with their cooperation is the appropriate manner to handle issues of this nature. For that reason I believe the committee should seriously consider the recommendations of these local groups and the Vermont delegation before making any substantive changes in the bill.

I look forward to reviewing the testimony of today's witnesses.

## STATEMENT OF BRENDAN J. WHITTAKER, SECRETARY AGENCY OF ENVIRONMENTAL CONSERVATION, STATE OF VERMONT

I. The State of Vermont fully supports the concept of wilderness and the need for identification, classification, and dedication of wilderness areas on the Green Mountain National Forest. Wilderness is one of the many proper uses of public lands and should be one of several primary considerations in the land use planning process. The State of Vermont supports wilderness where it is appropriate and carefully planned for. We have consistently maintained a position against those who would say that as much land as possible can be claimed for wilderness with no limits as to acreage and, on the other hand, those who would say no more wilderness, ever, anywhere. The State of Vermont practices its own form of "wilderness" management on its own state forests and fish and game lands by setting aside almost 14,000 acres as Natural Areas where human intrusion is limited. The remainder of the almost 200 thousand acres of state-owned lands are open to multiple uses, such as logging, snowmobiling, firewood cutting, hunting, fishing and trapping.

II. Vermont State Government became involved in the issue because wilderness designations are a matter affecting the State of Vermont. We recognize that the ultimate jurisdiction and authorities are Federal. At the same time however, large tracts of forest land within Vermont are potentially affected. There have been close ties between Vermont State government and the Green Mountain National Forest since the Forest's creation in 1932.

A State Board on the Green Mountain National Forest created by state statute consisting of the Governor, Lt. Governor, Attorney General, the State Forester and the Commissioner of Agriculture approves purchase boundaries of the Green Mountain within the townships of Vermont. The creation of this board, and its existence today help point out the close scrutiny Vermont has alway given the Green Mountain National Forest. These national forest lands have in many cases been the backyards of Vermonters until their aquisition by the federal government. Vermonters are accustomed to working and recreating on these lands. Thus, any decisions affecting the permitted uses of the Green Mountain National Forest cause great interest and concern among Vermonters. Hence, a Governor of Vermont has every obligation and duty in representing the people in deliberating on the forest's management and future.

The State of Vermont would have preferred that the U.S. Forest Service had been permitted to complete its land management planning process. We would have expected wilderness proposals to emerge from that process on the Green Mountain Forest and would then have commented in the regular planning process and in the subsequent congressional wilderness legislation. At the same time we did ask that the Forest Service expedite its process as much as possible. Since the Vermont Delegation has decided to proceed before that planning process is over we therefore studied the bill carefully, and are commenting on, the present proposed legislation. (HR 4198)

III. During the summer of 1983 after the present legislation had been introduced in Congress, the State of Vermont Environmental Agency conducted its own study of appropriate wilderness on the Green Mountain National Forest. That study said in its policy "we believe that if Vermont is to have more wilderness it should be quality wilderness and it should have minimal effects on the following:

> "Existing recreation uses;
>
> Wildlife management opportunities;
>
> Prior and continuing investment such as roads, reforestation, timber stand improvement, wildlife improvements;
>
> Highly productive lands which are accessible and easily managed for timber and wildlife;
>
> And especially unique and fragile areas."

Based on these criteria Governor Snelling identified acreage appropriate for quality wilderness on the Green Mountain Forest in the range of 30-32,000 acres. The compromise position now before the Senate Committee contains approximately 40,000 acres plus 22,000 acres in the National Recreation Area. These 40,000 acres correspond generally, to those in the Vermont recommendations except for the Woodford Area (George D. Aiken). Therefore Vermont generally accepts this compromise as being the best possible considering all the circumstances surrounding the Wilderness issue.

With some exceptions therefore the State of Vermont accepts and endorses the compromise position reached (HR4198 as now before your Committee) by the Congressional Delegation. The parties have bargained hard, but in good faith and we are convinced that the positions of all the witnesses heard, including the State of Vermont, have been considered in the compromise proposal now before you. We would compliment those who took part in the process in good faith, and especially the staffs of the Vermont Congressional Delegation for their diligence and hard work in a very difficult and, at times, divisive situation over the past year.

We also appreciate the cooperation of the Green Mountain National Forest Staff especially the Forest Supervisor Stephen Harper. While Steve Harper maintained absolute neutrality during the negotiations, he and his staff were always ready to aid us with factual information, maps, and other supporting materials for our responses on the issue. Steve and his office represent the finest in the U.S. Forest Service tradition.

IV. The State of Vermont based its own wilderness considerations for the Green Mountain Forest on the best balance achievable among the users of the forest as well as on the acreage we deemed suitable. It is our conclusion that the present compromise secures a reasonable balance among the range of uses from consumptive use such as logging to the pure wilderness experience where human disturbance is kept to an absolute minimum.

Regarding the proposed National Recreation Area (NRA) of 22,000 acres we are pleased that the Vermont delegation now agrees that so-called commercial logging can be utilized to perform the desired timber cutting for wildlife management and recreational purposes. The State of Vermont vigorously urged this. When there was some doubt as to the use of commercial logging, on the NRA we felt that it would be questionable if the U.S. Forest Service could or would do any wildlife management timber cutting on its own in the NRA. The usual practice, is to have private timber operators perform harvests on National Forests but at the direction of the Forest Service and for the purposes the Forest Service deems appropriate for that particular time and area. We maintain that under careful control by the Forest Service, the desired wildlife and recreation amenities can be managed on the National Recreation Area under the normal method of carefully marked harvests sold to responsible private logging operators under the regular bid system. We are pleased to see this part of the

The State of Vermont continues to question the inclusion of the Woodford Area, the proposed "George D. Aiken Wilderness Area." The Vermont Agency of Environmental Conservation wilderness report of 1983, cited above, stated "although Woodford Wilderness contains extensive wetlands and wildlife habitat . . . we see no reason to designate it as a wilderness area. It is neither primitive nor remote. All of Woodford is moderately productive of timber. A large portion is inoperable (for timber harvests). The rest is easily accessible. In addition, there is considerable opportunity for trapping in this area."

To expand on this description, Agency researchers found much of Woodford to be dense, second growth material. It was not characterized by dramatic scenery. Trappers use snowmobiles to run trap lines in the area.

A further reason for our recommendation that the area should not be designated wilderness is the position of the Green Mountain National Forest Supervisor that the area would be managed in a way to preserve the unique ecological qualities which it does possess: considerable wildlife habitat and wetlands.

V. Finally, we would stress that Vermont's recommendations are not made in a vacuum, or in isolation. The Green Mountain National Forest is a recreational resource for the tens of millions of Americans in the urban Northeast. We have sought to place Vermont's views on wilderness in the context of national interest. In judging that natural interest, we are aware that the recreation uses by this largely urban population to the south of us range from the intensive (ski areas on leased National Forest lands) to isolated wild-lands experience by individuals or small groups. We maintain it is vital to balance along these ranges of recreation experiences, and then to balance further with resources use such as logging and water supply which mean so much to our Vermont way of life, including its economy. Our wilderness position reflects that philosophy of balance.

## STATEMENT OF PETER B. SMITH, COORDINATOR

## VERMONT WILDERNESS ASSOCIATION, HEALDVILLE, VT.

Mister Chairman, members of the Committee, thank you for the opportunity to testify concerning H.R. 4189, the Vermont Wilderness Act of 1983.

My name is Peter B. Smith from Belmont, Vermont, and I am the Coordinator for the Vermont Wilderness Association. I am testifying on behalf of that organization today.

There are three aspects of the pending legislation which I will address.
First and foremost, since I am a professional biologist, the issue of wildlife and wilderness.

Second the question of the National Recreation Area and the compromise surrounding that issue.

Third, Section 105, the so called "release language".

One of the most common misconceptions concerning wilderness is that it is of no value to wildlife, infact, that it is actually detrimental to wildlife. The theory seems to be that without foresters around to manage timber, wildlife could not exist. The argument is that wildlife need openings within the forest and without foresters, this type of habitat would not be present. The problem with this concept is that all the wildlife species alive today plus a number which are currently extinct in Vermont were around and flourishing long before the first forester received a diploma.

The misconception came about because the first school of forestry didn't open its doors until about 1900, long after the original Eastern forest had been cut off and the wildlife populations drastically altered, populations which included the one animal that did more to open up this country than almost any other, the beaver. The original settlers in Vermont and elsewhere actually harvested wild hay along our rivers. The forests were a mosaic of beaver meadows, both active ponds and ones that were in the process of overgrowing with sedges, grasses and shrubs. These were the original forest openings.

Now the beaver has returned. He is common enough that you can find his dams along the median strip of Interstate Highway 91 in Vermont. He is abundant in these proposed wilderness areas. He is recreating the mosaic that was here 200, 250, 500, 1000 years ago, the type of forests that we could leave to the future if we have the foresight and act now. The type future generations have a right to expect we will leave to them in some small degree.

It is worth noting that the U, S. Forest Service document titled Wilderness in Vermont, May 1983 and prepared by Green Mountain National Forest staff repeats much of the misinformation concerning the origin of forest openings on Green Mountain National Forest.

The Report's underlying assumption is that forest openings would not occur, despite the fact that the vast majority of existing openings were produced and currently managed by beavers, if it were not for the Forest Service. It is absolutely not true, as the report states, that the "Openings in wilderness would be temporary and only result from natural disasters such as fire or blowdown". In fact these two factors are very minor compared with beaver ponds and meadows. There is increasing evidence that beaver ponds and meadows are not of a temporary nature but simply shifting in nature. By this I mean that the same areas are used for generation after generation on a rotating basis each area being left fallow, as it were, for regeneration of favorable species. Of considerable interest, in this regard, is an area in the proposed George D. Aiken Wilderness. This is a large beaver pond/meadow complex bordering Yaw Pond Brook which has been in existence long enough to recreate the type of habitat, in all likelihood, encountered by early settlers in Vermont. All dead snags have essentially disappeared leaving an undulating sedge-grass meadow, an area in which, by hand, as they did 100-200 years ago, men could easily cut hay for livestock prior to clearing and planting their own fields. An emergency source to tide them over the first year or so. An example of our original wilderness. Forest openings on Green Mountain National Forest are not the exception but the rule.

There are specific animals that require the type of remote isolation that they can get in these proposed wilderness areas. The primary one in Vermont is the black bear. We have only to look at his original range in the East, basically from the Atlantic coast to the Plains. Today he is relegated to the most isolated, most remote parts of the Appalachian chain, our mountain peaks. He needs the inaccessible habitat, the dense cover tor two reasons. One, for escape during his active period of the year, the other for security during the denning period when he is dormant. These proposed wilderness areas contain some of the finest bear habitat in this part of the State specifically because they are roadless and undeveloped.

Interestingly the U.S. Forest Service in 1978 and 1979 in the Draft and Final RARE II Environmental Impact Statements, listed several species of animals requiring wilderness habitat. These included the black bear, bobcat, lynx, and fisher in Vermont. Now we find (Wilderness in Vermont, May 1983) that the Forest Service has decided that these animals do not require wilderness "since they also occur in highly modified habitats". This is a little bit like saying that deer do not require forests and fields because they occassionally appear on the streets of Rutland or Montpelier. Absurd. Where these animals are forced from their normal habitat they do not long survive.

Looking further at the wildlife section of the Forest Service wilderness analysis, there are more inaccuracies. Wilderness will not have a negative impact on animals like the red fox, cottontail rabbit, red-tailed hawk, indigo bunting, or (smooth) green snake since none of these are species currently present in any numbers within the proposed wilderness areas. All are open land species preferring interspersed fields, bushy areas (hedgerows) and a few sparse woodlots, habitat abundant in the remaining 99 percent of Vermont. That leaves three species (deer, woodcock, and ruffed grouse) which might be adversly affected by wilderness designation since it has been demonstrated that populations of these three can be increased by forest manipulation. How much of the necessary manipulation is actually occurring at present is open to question.

The snowshoe hare is an especially interesting species to cite as adversly affected by wilderness designation. This is a cyclical species which has historically undergone a boom/bust cycle approximately every seven to ten years. Recent research has suggested that these cycles are related to biochemical changes in their food supply, the result of their own over browsing, not to any type of artificial forest manipulation. Though they are not wilderness dependent, they are certainly a forest animal.

There is one final point which needs to be discussed. If we look at the lands which support wildlife in Vermont, we see a spectrum from field to forest with every gradation in between. One of the tenets of wildlife biology is that in order to have a broad spectrum of species, you must have a wide range of habitat. The broader the habitat spectrum, the broader the wildlife spectrum. The designation and management of wilderness areas broadens that habitat spectrum beyond that of a spectrum which stops at a managed woodlot or a clearcut forest. Though it may be only by one percent that we are talking about here, that is one percent better than none at all.

The second issue that I would like to address concerns the compromise worked out between groups in Vermont and the establishment of the White Rocks National Recreation Area.

Though this committee may hear testimony to the effect that no compromise between wilderness and anti-wilderness forces ever existed, this is simply not true.

As the result of efforts initiated by Sen. Leahy following the hearing which he and Sen. Lugar conducted in Middlebury, Vermont July 14, 1979, the efforts of Rep. James Jeffords last May and our entire delegation (Sen. Leahy, Sen. Stafford, and Rep. Jeffords) from July on through September and almost up to the present, a compromise was forged.

Wilderness proponents originally identified some 100,000 acres meeting wilderness criteria, This did not involve areas apart from these currently under consideration but simply boundary expansions of the proposed areas.

In efforts to meet concerns of hunting organizations, all significant areas suitable for deer herd management were eliminated from the proposal.

Adjustments to the Breadloaf Area boundaries were made to accommodate loggers particularly in the area of the Granville Gulf Reservation.

Major adjustments in boundaries were made to the George D. Aiken Area, the Lye Brook Addition, and the area encompassed by the White Rocks National Recreation Area proposal. These were all done to accommodate snowmobile concerns and in each case lead to major reductions in the wilderness area proposals.

I would like to emphasize that establishment of the National Recreation Area does not constitute establishment of a new land management category as has sometimes been alleged. This specific category has been used a number of times on Western forests in each case to address a specific local concern usually involving preservation of primitive forms of recreation while permitting other forest uses such as preservation of specific water rights, mineral resource extraction, or wildlife habitat manipulation. In Vermont the concerns were wildlife, in particular those species requiring large undisturbed roadless tracts, and snowmobile use on specified trails. Vermonters, through the establishment of the White Rocks National Recreation Area have arrived at a solution to solve these concerns just as those in our western states did in similar situations. Perhaps not a perfect solution to satisfy everyone, but one to satisfy most, and that, after all, is a compromise by definition.

Finally I would like to comment on Section 105 of the Act. The Vermont Wilderness Association opposes any proposal to change this section in any way. As you know this section relates to Forest Service analysis of lands for possible wilderness designation. While the Vermont Wilderness Association, at this time, is not aware of any other lands on Green Mountain National Forest, except those under discussion, that are suitable for inclusion in the wilderness system, we would not want to preclude the Forest Service from studying such lands should they find some. Wilderness, after all, is permitted as a valid use under the Multiple Use Sustained Yield Act and we do not believe that analysis, should the Forest Service find it appropriate, should be prohibited.

In conclusion, the Vermont Wilderness Association supports H.R. 4198, the "Vermont Wilderness Act of 1983" and hopes that this Committee will do everything possible to expedite this legislation and bring to a conclusion what has been a long standing issue in Vermont.

Thank you again for this opportunity to testify.

## STATEMENT OF SEWARD WEBER, EXECUTIVE DIRECTOR

## VERMONT NATURAL RESOURCES COUNCIL

Greetings. My name is Seward Weber. I am the Executive Director of the Vermont Natural Resources Council. The Council represents 3500 individual members and 150 organizations and businesses. It is a 20-year-old, private non-profit conservation group dedicated to promoting the wise use of Vermont's natural resources.

I am pleased to offer testimony on an issue with which VNRC has been actively involved for a decade. During the discussions last year VNRC sought to play a moderating role. Our 22-member Board of Directors is on record in support of the original 65,000-acre wilderness bill. But we have sought at every stage in the negotiations to reach an equitable compromise, with solutions which recognize and accommodate the needs of involved user groups.

With the Forest Service, VNRC has sponsored field trips into the areas. We have sought boundary relocations to diminish impacts on deeryards, timber harvesting of particularly accessible and valuable stands, and to accommodate snow-machine recreation. We feel the White Rocks National Recreation Area element in the compromise is particularly innovative and crucial to the support the proposed legislation has earned from groups which had been previously in conflict and opposed to any reasonable "middle ground."

The compromise before you today is a compromise in the best sense of the word. No one is fully happy with it, yet virtually everyone agrees that it is our best chance to resolve the issue now. Congratulations should go to Vermont's Congressional delegation for its careful and sensitive efforts to reach this compromise. During its year-long deliberations, the delegation talked with loggers, naturalists, trappers, biologists, selectmen, foresters, skiers, snowmobilers, hunters, fishermen, state representatives, woodsmen, neighboring landowners, and just about every conceivable group of outdoor user and wild space lover in Vermont.

The Vermont Natural Resources Council wants to emphasize the practical reasons, in addition to the philosophical, for setting aside these 41,000 acres of Vermont land as wilderness, and 22,000 acres of National Recreation Area. Together they represent less than one-and-one-half percent of Vermont, our public land, land that belongs to all of us -- those of us present and those to whom we will pass this remnant of our heritage, our children and, if they are responsible stewards, their children. I want to share some of our reasons.

Wilderness designation may well be called multiple use in the fullest sense of that concept. When one considers the Vermont forest as a whole, designating additonal Wilderness adds a use category -- one that is most appropriate and best in terms of the special attributes of the land we are considering.

This is public land we are talking about. The first priority for public lands ought to be to provide the things that private lands don't or can't provide. If we are just talking about timber production, or even firewood, the private sector can and will provide these things economically.

The private sector does not, however, have a comparative advantage in addressing other amenity values of forestland. We should look to our public lands for multiple use in providing, for example (in addition to timber and firewood), sites for research and demonstration projects, natural areas and watershed protection, public recreation, and wilderness. According to a U.S. Forest Service inventory conducted in the spring of 1982, more than 100,000 acres of National Forest Land in Vermont have a potential to provide primitive recreation opportunities.

A 1983 report published by Vermont's Agency of Environmental Conservation, "Alternative Futures for Vermont: A Strategic Planning Workbook for the Vermont Department of Forests, Parks, and Recreation," looks down the road fifty years and recommends that we promote balance and maintain our options for meeting future unknown needs, for we can expect the private sector to be characterized by increasingly small parcels in the hands of many more than our present 90,000 individual forest landowners in Vermont. The Vermont "Alternative Futures" report recommended that 27.6% of our public lands not be managed for timber. Amazingly, H.R. 4198 provides for 28 percent of our total federal land in Vermont not to be managed primarily for timber.

One additional point regarding timber production and potential in the National Forest: if we add in the overhead costs, the cost of building roads and maintaining them, and administration, preliminary 1983 Forest Service figures show that the average net revenue per acre for timber is only $0.93 per year. That is hardly a bonanza of timber income left uncollected. Compared with the economic, social, and spiritual benefits of designating those 41,000 acres as wilderness and 22,000 acres as National Recreation Area, the unharvested timber loss is negligible.

And those net revenue calculations assume an available and reasonable market for the timber -- an optimistic assumption, but not one based on market forces. The price paid for stumpage is dependent on the strength of the economy, on interest rates, on mortgage money availability and housing starts. The number of trees standing at high altitude in the Green Mountain National Forest will have almost no effect on whether there is a strong market for the harvest. Likewise, speculation concerning the loss of jobs which might occur if the areas remain uncut is equally inappropriate.

Wouldn't it be more practical and cost effective to manage more intensively our less remote lands which have a greater potential yield? State Forests and Parks officials estimate that our annual timber growth is only half its potential, and we are only harvesting half of that! Surely better management of both our public and private woodlands is a sensible investment, one that could help reduce the 75 percent of our potential Vermont timber harvest that we are forgoing right now. It is ironic that we have in Vermont only one public employee whose sole job it is to educate 90,000 private forest landowners on the benefits and techniques of forest management.

Instead of looking at these areas' roadlessness as an economic drawback to be overcome with a taxpayer subsidy to get at its potential 1.75 mbf (1% of Vermont's 1981 timber harvest), we should consider the lack of access an economic benefit. Wilderness areas benefit by being remote, timber areas do not.

Others will undoubtedly catalogue the values these areas include: splendid mountains, high ridges with scenic outlooks, a marvelous quaking bog in Big Branch, ravines, rushing streams....

There are a few other, sometimes misrepresented, facts which we would like to point out:

- Hunting and fishing are permitted in wilderness areas.
- The designation of additional wilderness areas in Vermont will not affect tax receipts to towns because of the provisions of the Payments in Lieu of Taxes Act.
- Federal jurisdiction will not expand; if anything, it will decrease through diminished management.

- Of the existing 19 miles of roads in the proposed areas, only two and a half miles will be "lost" to wilderness; sixteen and a half miles are in the National Recreation Area and will remain open. Of course, this does not include the many miles of old logging roads which are part of the landscape and which do not presently provide vehicular access. These old logging roads will revegetate over time and will not have a significant effect on the wilderness character of the lands under consideration.

One point which VNRC would like to emphasize and which may not be covered today is the argument in favor of preserving genetic diversity.

A 1978 National Academy of Sciences report, "Conservation of Germplasm Resources: An Imperative," states:

> Germplasm resources may be defined as the total array of living species, subspecies, genetically defined stocks, genetic variants, and mutants whose continuing availability is important for society's present and future health and welfare. They may be regarded as the biological underpinning on which we live.... With increasing industrial expansion and the rapid growth of human populations, incurring greatly increased needs for food, living space, and sources of energy, the world is losing many important natural habitat areas. We may be in great danger of losing species and variants that are likely to have, among these, species whose value we already know and other whose importance has not yet been recognized. Enlightened self-interest directs that we act immediately to prevent whole-sale loss

A recent University of Vermont School of Natural Resources paper by DeHayes and Bassett entitled "Genes: A Forest Resource to be Conserved" applies this conservation imperative to Vermont. The authors:

> "propose that such unique genes are an important raw material for evolutionary change and a valuable resource that should be conserved for their biological importance...[and] potential utility in tree improvement programs. Gene conservation can be achieved or enhanced through the protection of natural stands. ... Such genetic variation is stored within and among locally adapted indigenous populations and provides trees with the flexibility to respond to changing environmental conditions... The genetic diversity that exists among populations of forest trees also provides a living laboratory which can be and has been utilized to further our understanding of evolutionary and adaptive processes."

Wilderness is one practical way we can guarantee the conservation of genetic diversity and at the same time promote other goals, one of which is to provide invaluable base-line data for the study of critical plant and animal species and environmental threats such as acid rain. Another is watershed protection, in that many important trout streams, rivers, and aquifer recharge areas have their origins in these vital watershed areas.

Vermont has one of the smallest pecentages of federally owned land in the country. Public lands and wilderness areas are mostly located in sparsely populated western parts of the United States, while the relatively high density northeastern population has little access to anything approaching a wilderness experience. I should note parenthetically that the Forever Wild Lands of the Adirondack Park fall short of the wilderness experience Congress intended when it passed the ~~Eastern~~ Wilderness Act of 1964. Over time, as development pressures impinge on surrounding lands, our wilderness acres will become more precious and unique. As their wildness distinguishes them from neighboring lands, they will be sought after by Vermonters and tourists alike seeking respite from the internal combustion world of the Northeast.

Setting aside one percent of Vermont's land area now as wilderness is a statement in the best tradition of the Green Mountain State -- a statement to our residents, friends, and future generations that at least a tiny portion of our special state will remain forever wild.

The Vermont Natural Resources Council asks that you approve the designation of the wilderness areas proposed in the Vermont Wilderness bill, and the formation of the White Rocks National Recreation Area.

Thank you.

## STATEMENT OF WALLACE M. ELTON, PRESIDENT

## VERMONT AUDUBON COUNCIL, MIDDLEBURY, VT.

My name is Wallace Elton. I am president of the Vermont Audubon Council and a resident of Middlebury, Vermont.

I am pleased to have this opportunity to speak on behalf of the Council and the 2500 Audubon members in Vermont in support of H.R.4198. Today I also represent the National Audubon Society and its 500,000 members across the nation.

The members of the subcommittee have heard on a number of occasions, I am sure, the many reasons why people like myself favor protection of wilderness in general. You also have heard from others present this morning why we seek wilderness designation for the specific areas in our state covered by H.R.4198. What I would like to do is tell you a little about this particular bill and how it came to be. I want to do this because the content of this proposal, which is a compromise from bills introduced by our Congressional delegation in March of last year, was a long time in the shaping. Further, Senators Stafford and Leahy and Representative Jeffords reached their decision about the final form of the bill by means of a process which I am pleased, indeed rather proud, to have participated in. I want to be sure this subcommittee is aware of the background and that process.

I must begin by going back as far as 1979. In July of that year the Committee on Agriculture, Nutrition and Forestry, as a followup to RARE II, conducted a hearing in Middlebury, Vermont, on the question of wilderness designations. Senator Leahy and Senator Lugar attended. At that hearing Senator Leahy asked representatives of each organization, both those favoring wilderness designations and those opposing them, if they would be willing to meet with others in an attempt to mediate their differences. All said that they would. Later that year and into early 1980, a mediation effort was made under the guidance of Dr. Hugo John, director of the University of Vermont School of Natural Resources, with a professional mediator in charge. Unfortunately, a majority of the groups opposed to wilderness ultimately refused to accept the basic principles of mediation set forth, and the effort collapsed.

About that same time, Rep. Jeffords released the results of a survey he had conducted through his constituent newsletter in which he asked, among other questions, what people thought about the wilderness issue. With over 10,000 responses, this was the first widespread sampling of sentiment in the state. The result was a boost for wilderness supporters - 64% of the respondents favored designating more wilderness. Equally encouraging a noted Vermont outdoor writer conducted a survey through his weekly newspaper column on a large number of issues of interest to sportsmen. Of the approximately 150 respondents, over half of whom said they were members of the National Rifle Association, 85% favored receiving "some sizable areas of Vermont . . . as roadless wilderness."

Our Congressional delegation continued to express the hope that a consensus on wilderness designations might be reached, but this goal eluded us through 1982. We argued that wilderness opponents, despite or perhaps because of the popular sentiment, were unlikely to enter into negotiations as long as refusing to do so worked in their favor by maintaining the status quo.

Finally, in March of 1983, in order to break this deadlock over the status of areas reviewed under RARE II, Senator Stafford, Senator Leahy and Representative Jeffords introduced legislation to designate 65,000 acres of Green Mountain National Forest as wilderness. In doing so, they made it clear that there would be some additional wilderness in Vermont and that it behooved all interested parties to get talking about the specifics. In our view, this was the key that made the ultimate compromise possible.

We believed that this legislation was reasonable both in terms of acreage, affecting as it did about 1% of Vermont's area, and from a statewide perspective in terms of its impact on conflicting uses. We also knew, however, that the local impact on some uses, most notably snowmobiling, could be more significant. We made it clear, therefore, that we were willing to talk with representatives of other interests and consider possible changes to minimize such impact.

Over the following months, two public hearings were held in Vermont, one by all three members of the delegation in May and one by the House Public Lands Subcommittee in July. Approximately 200 people spoke at these hearings with comments running about two to one in favor of the proposed legislation. Many other people submitted written comments.

During this period also, Rep. Jeffords released the results from another questionnaire sent to his constituents. He had again posed the same question about wilderness that he had asked more than three years earlier. This time, with about 11,000 respondents, 72% favored wilderness designations. I have attached a copy of these results to my statement.

As early as June, I and other representatives of conservation groups met informally with the leaders of some snowmobile clubs and a member of Rep. Jeffords' staff. This initial meeting was encouraging. The snowmobilers indicated that they shared our concern about the future of the areas in question. We expressed our hope that by emphasizing our mutual interests we could reach some accomodation. Together we discussed some preliminary ideas for reconciling our objectives.

Then in late summer and continuing into September, there was a series of formal negotiating sessions among representatives of a variety of organizations and interest groups, including snowmobilers, timber people, sportsmen, trappers, and wilderness advocates. These were conducted by members of the staffs of Senators Stafford and Leahy and Rep. Jeffords. The negotiations focused not on acreage but, properly, on specific problems in specific places and possible ways of dealing with them. The sessions were lengthy and sometimes tense, but out of them emerged the framework for a compromise plan that is embodied in H.R.4198.

This compromise, inevitably, has not been accepted by all who were involved, but I believe that a real attempt was made to address all concerns and interests. I strongly believe that the process was a constructive one which has increased understanding between groups and has broadened the base of support for wilderness in the state. We therefore endorse the compromise bill and urge its prompt approval so that this lengthy controversy can be finally resolved.

I want to say a few words about the compromise itself. It is a package, all parts of which are essential. The five areas to be designated wilderness, totaling about 40,000 acres, encompass the most remote and some of the most environmentally sensitive land, and their boundaries have been refined so that conflicts with existing incompatible uses are minimized.

The proposed White Rocks National Recreation Area, about 22,000 acres in size, provides protection for wild land originally considered for wilderness designation, but allows snowmobiling and controlled wildlife habitat management and permits specified roads to remain open. This unit is a vital part of the compromise package for three reasons. First, as a result of the negotiating process described above, in which many people participated in defining the area, it is an important element in making possible broad support for the compromise as a whole. Second, it provides specific protection against mineral leasing, road-building, and timber cutting for commercial purposes that would not exist without such classifications and which we believe the area deserves. Third, in conjunction with the two adjoining wilderness areas, it will provide in the future extensive wildlife habitat for species that prefer old growth forest cover generally free from human disturbance. This is a goal of particular importance to Audubon.

In comparison to the original legislation, this compromise package accomplishes the following: over 60 miles of snowmobile trails that would have been closed will remain open; over 1,000 acres of deer wintering habitat have been excluded and can be fully managed; substantial acreage of high quality timber has been excluded and will be available for commercial harvest; and several existing forest roads that would have been closed will remain available for public access.

Other speakers this morning have shown that the impact of this bill on other uses of the National Forest will be relatively small. On the other hand, we believe that in the future those areas protected now will be the only major sources of the benefits wild country can provide - solitude, backcountry recreation, habitat for wilderness wildlife, places for scientific study of natural ecosystems, and others.

In fact, we believe that to truly appreciate the importance of wilderness protection, we must think beyond the present, for it is womething we do primarily for future generations. In a recent book Wildlands and Woodlots: The Story of New England's Forests, forester Lloyd Irland looks ahead to the condition of our forests after the year 2000. He sees both promise and danger for the proper management of our forests. But one point he is sure of: "As New Englanders begin to see what they have lost, they will appreciate more what has been saved. The Allagash, national forest wilderness, and the local land trust sanctuaries will be ever more highly prized as part of the region's natural heritage."

We agree. But even if we are wrong, at least we will be preserving options - choices - for future generations. Wilderness we protect now can be reevaluated in light of changing conditions in the decades ahead. Wilderness opened to intensive development now for practical purposes represents an option foreclosed. We believe we have a responsibility to keep options open, especially when there is no compelling need to do otherwise.

[The following material was inserted by Wallace M. Elton, see p. 23 for his oral statement.]

[Questionnaire results reprinted from the Congressional Record]

## VERMONTERS' VIEWS ON KEY ISSUES FACING CONGRESS

(By Hon. James M. Jeffords, of Vermont, in the House of Representatives, Thursday, April 21, 1983)

Mr. JEFFORDS. Mr. Speaker, tabulation of the results of my ninth annual questionnaire has just been completed.

As in previous years, the questionnaire summarizes the views of Vermonters on many of the key issues we face in Congress. I am, therefore, eager to share the results with my colleagues.

Once again, the response to the questionnaire by Vermonters has been tremendous. Nearly 11,000 adults filled out the rather lengthy survey and returned it to my office. I am continually impressed by the high level of participation by the people of Vermont in the issues which affect all of our lives, and by the thoughtful care which is evident in each questionnaire response.

### VERMONT WILDERNESS AREAS

Because Congress may act on Vermont wilderness legislation during the current session, I felt it was important to determine the general views of Vermonters on this important, sensitive issue.

I know from experience that emotions run high in any discussion of this subject. The specific comments, concerns, and suggestions of Vermonters at public hearings are needed before any decisions can reasonably be made. But in general, it is clear that a substantial majority of Vermonters want us to pursue this issue.

The newsletter containing the questionnaire summarized objectively the pro and con arguments, and asked Vermonters which of the following three statements come closest to their beliefs:

A. No additional areas of the Green Mountain National Forest should be designated as wilderness. (22 percent agreed.)

B. Only one of the six regions that were considered should be designated as wilderness. (9 percent agreed.)

C. Two or more of the areas should be designated as wilderness. (63 percent agreed.)

Another 6 percent declined to indicate a position.

Incidentally, this question was identical to one in my 1979 questionnaire, at the time of the RARE II evaluations. At that time, 29 percent said no additional areas should be designated, 12 percent favored designation of one area only, and 52 percent said two or more areas should be designated. In other words, the overall views of the majority of Vermonters were prowilderness at that time, and have since shifted further in that direction.

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[Reprint from the Burlington Free Press, Oct. 27, 1983]

## VERMONTERS SHOULD SUPPORT NEW WILDERNESS AREA BILL

The nation's wilderness areas have been set aside to maintain and protect those fragile and precious resources that are essential elements of a healthy environment.

Much has been said about their importance in sustaining animal and plant life. They are equally important, however, for the contributions they make to human life in terms of the air and water supply and the aesthetic comfort they offer to a populace that for the most part lives a frenetic life in urban areas of the country. With green spaces shrinking in most communities, many people can only find solace in the confines of the wilderness areas. They are the last sanctuaries of tranquillity for hundreds of thousands of people.

Even in some rural areas, the public discovers that the frozen silences of a winter's day can be shattered by the snarling engines of snowmobiles whipping across the snowy landscape in search of some elusive obstacle to conquer. People learn that one groups' recreation is another's nuisance. Slumbering wildlife in those areas must endure such invasions for lack of the means to register complaints about the racket.

That the vehicles are prohibited from using wilderness areas is a guarantee that neither plant nor animal life will be disturbed during their winter hiatus. The ban insures that some species will survive for a few more years.

Having been greeted with wounded outcries from snowmobilers, trappers, loggers, farmers, horsemen and downhill skiers when they proposed that 65,000 acres of the Green Mountain Forest be added to the state's wilderness areas, Vermont's congressional delegation has revised the proposal to cover 39,000 acres.

Rep. James M. Jeffords, R-Vt., has introduced a measure in the House which calls for the change. He said he is optimistic about the passage of the bill. "Our compromise is a delicate balance of the very diverse needs, views and concerns of large numbers of Vermonters," he said. "Any upsetting of that balance would jeopardize the general acceptance of the bill among opposing factions in Vermont . . ."

The measure establishes a 23,000-acre national recreation area which would have some restrictions on its use but they would not be as strict as those imposed on wilderness land. The proposed additions to the wilderness area set aside 20,000 acres of U.S. Forest Service land east of Middlebury, including Breadloaf Mountain and Sky Light Pond.

Vermonters should support the proposal on the grounds that it will guarantee the preservation of a substantial portion of the forest in a pristine state for years to come, providing a habitat for wildlife and a retreat for those who seek surcease from the hustle and bustle of a frenzied world.

[Reprint from the Valley Voice, June 7, 1983]

## WILDERNESS ISSUE NOT A SIMPLE ONE

If one thing becomes clear after the numerous hours of congressional testimony on the proposed wilderness area, it is that no simple explanations or answers exist to the problem of how best to utilize land within our boundaries. The 65,000 acres in question mean many things to many people, and not all of those uses are compatible with one another.

It is not, simply, an argument between the die-hard nature-freaks and the unyielding motorized movers. If only it were so simple.

The first question that must be looked at is, why do some people favor the bill? They are not all naturalists; one proponent readily admitted to preferring to drive in the wilderness than walk.

For some people, designation as a wilderness area would isolate the area from the potential abuses that can occur when financial opportunity faces up against forest preservation. The issues concerning oil and gas leasing are numerous, and Secretary of the Interior James Watt has not shown himself to be overly cautious in his handling of such contracts.

For others, the issue is whether we have the right to endanger a species—any species—of animal in our development of this country. Our history proves that we are terribly effective at doing so.

On the other side of the coin, there are those who have used the areas in question for their recreation and see such an opportunity threatened. Snowmobile enthusiasts see hundreds of miles of trails threatened by the motorized ban that accompanies wilderness designation. Snowmobilers in this area may indeed be responsible and nature-loving individuals; unfortunately they bear the stigma of those well-publicized louts who have no respect at all for their surroundings.

For the elderly and the handicapped, it would indeed be difficult to enjoy such wilderness. Being handicapped, of course, does not necessarily mean being immobile. There are many handicapped individuals here in Vermont who have not let their limitations stop them from enjoying multiple-day canoe trips, or treks along primitive mountain trails.

Untimately, the issue comes down to whether or not we, the people, and our elected representatives feel that preserving options is necessary at this time. As Wallace Elton of the Audubon Council phrased it, wilderness protected now can later be reevaluated and perhaps, opened up for development. Wilderness developed, however, is a little harder to reverse.

As is inherent in our democratic system, the answer to these questions may well lie in compromise. Therefore, we urge all those involved and interested to try and put themselves in their opponents' shoes for a while. Perhaps, through understanding each other's concerns, we can all come to that elusive mutually acceptable solution.

[Reprint from the Addison County Independent, Nov. 2, 1983]

## BURY THE HATCHET

The compromise wilderness areas legislation introduced by Congressman James Jeffords ought to satisfy conservationists as well as those who have opposed additional pristine acres for the protection and preservation of wildlife and flora in the Green Mountain National Forest.

After two months of hearings and debate between the wilderness supporters and those opposed, both sides ought to bury the hatchet and settle for the compromise solution.

The original proposal calling for 63,840 acres of wilderness, including 22,230 acres on Breadloaf Mountain in Addison County, triggered protests from lumber and logging interests, snowmobilers, fishermen and hunters. The antiwilderness forces said there is no need for more wild areas because there are plenty of them already and they are little used by sportsmen.

But environmental groups continued to stump for additional undisturbed acreage. They said it was needed for birds, bear, bobcat and for more recreation land undisturbed by motors so, as the Vermont Wilderness Association put it, "you can hike, ski, hunt, fish, canoe, watch wildlife and camp in peace."

Jeffords' compromise ought to satisfy both sides. His version scales down an original proposal of an additional 63,840 acres in wilderness to 39,000 acres and establishes a 23,000-acre national recreation area.

More wrangling over the acreage could easily upset chances for the passage of the compromise bill. And both the pro and anti-wilderness forces might be back to square one in the debate.

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[Reprint from the Valley Voice, Middlebury (Vt.), July 19, 1983]

## WILDERNESS! IS THERE A REAL ISSUE?

### (BY CARL REIDEL) [1]

Recent letters and a Viewpoint in the Valley Voice have claimed to set us straight on the "real issues" in the current debate over federal legislation to create additional wilderness areas on the Green Mountain National Forest. We are warned that "environmentalists" are only out to raise funds, ignoring all manner of moral and economic issues important to Vermont. They list jobs, wildlife, recreation, in-lieu-of-tax payments, timber production, firewood, religion and history. And then a few more.

It would seem that putting less than one percent of Vermont's land area in wilderness status would have more serious impacts than another war, a depression, or an invasion by New Jersey land developers!

If wilderness designation did, in fact, impact on such important social and economic conditions we should be concerned. But a careful review of the facts as presented in Forest Service reports, and testimony presented at hearings in recent years does not support such an alarmist view.

I am convinced that whether or not these few thousand acres of Vermont are designated as wilderness by Congress, will make little, if any, difference in federal dollars spent in Vermont; in-lieu tax payments to towns; present, future, or potential harvest of wood products in Vermont; jobs in forest product, trucking, or recreation industries; the numbers of deer, bear, turkey, grouse, or any other beast shot in Vermont; the happiness of most snow travelers on skis, snowmobiles, or snowshoes; or who gets elected to Congress.

How is it that others expect wilderness designation to have serious impacts while I don't think it makes much difference either way? The reason is simple. The effect of changing land uses on 65,000 acres cannot possibly override the effects of national, political and economic conditions which shape Vermont's future. Put simply, the Green Mountain National Forest is not on the Moon. It is part of Vermont, New England, and the United States. There no way that we can estimate the minor impact of wilderness designations in the larger ebb and flow of economic forces. A few examples, which I'll label markets, money, and management:

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[1] Carl Reidel, of North Ferrisburg, is a Director and past President of the American Forestry Association. He is a professional forester, and Professor of Forest Policy and Environmental Studies at UVM.

### MARKETS

The volume and value of timber harvested in Vermont, next year or decades hence, will be determined by markets, not by the area in wilderness. The key factor will be the housing market, which creates the most demand for forest products and which is shaped by interest rates—not wood for sale from the national forests. Vermont's ability to compete in the market place will be determined by whether or not the state government and private industry put as much effort into developing Vermont's forest products industry as it does in the ski and electronics industries, as well as by federal economic policy.

### MANAGEMENT

The volume and quality of wood grown in Vermont in the future will be determined by how the best forest lands are managed, not by the area growing trees. Vermont can triple or quadruple its forest growth rates, and improve the quality of products harvested immensely, by what we now know. The few, relatively low productivity, and fairly remote lands being considered for wilderness are meaningless! We don't come close to harvesting the wood we grow yearly—nowhere near what would be possible under good forest management. The lands being debated would probably be some of the last acres in Vermont where we would invest our limited management dollars.

### MONEY

Reductions in government and industry budgets for natural resource management in the past three years *have already* sacrificed more future timber production in this nation than any wilderness designations will in the future. The president's 1984 budget recommendations would eliminate forestry aid to the states and to small private forest owners (yet not affect huge tax benefits to forest industries equal to the entire budget for National Forest management!). His budget would slash research, wildlife, and recreation management funding nationwide and in Vermont.

No, it is not the "environmentalists" we should fear. The real threat is clearly the president's policies of resource exploitation and short-sighted fiscal management. Perhaps the same can be said for Vermont following the special session of the General Assembly.

The point is simple. The "real issues" have little to do with board feet, jobs, deer, or even snowmobiles. Sure, the impacts may affect some people more than others, but very little for the vast majority of Vermonters in any real economic or social sense. And let us not forget that these are "national" forests.

### A "REAL" ISSUE?

If there is a "real" issue in this debate, I expect it is a debate over the rights of those alive today and future generations. The question for me is whether we are willing to set aside a small remnant of Vermont for our grandchildren. . . a small corner of wildness. Are we courageous enough to admit that maybe, just maybe, we aren't smart enough to decide the future of every acre of Vermont this year?

As a forester, I would probably opt for managing every acre *if* I were sure we are doing a good job on the lands we already claim to be managing. By every measure we are not! Compared to potential, we may be doing the worst job in the Northeast, maybe the nation. In addition to very poor growth rates compared to potential, we have serious problems of soil erosion, ground water pollution, wildlife and recreation management, and agriculture. We have hundreds of thousands of acres needing resource management in Vermont and New England.

For me, the only "real" issue is our sense of responsibility to the future, our commitment of land stewardship. It seems reasonable, prudent, and responsible to leave 99 percent of our land heritage in the hands of those living today. . . and but one percent held in trust for the many generations yet to live, to cherish or spoil as they decide. For them, that small remnant could be invaluable as a critical baseline for environmental research. Or, if truly "needed" for other management, to be removed from wilderness status then—a reserve from their ancestors.

I'm convinced that the time for polling and vote counting on the wilderness debate is over. I hope that our congressional delegation will thoughtfully examine the facts and act. It will not be an easy decision—no way to "compute" a solution. It is time for leadership. It is time for courage and foresight. In the final analysis that is the "real" issue.

[Reprint from the Sunday Rutland Herald, July 10, 1983]

## SOME TIPS ON "HOT WATER" FISHING

Until the shorter days and cooler nights of fall restore water temperature towards the lower end of the thermometer, many fishermen might consider their quarry as "away on vacation." Perhaps it is true in a sense as most fish change their habits along with the seasons. All we have to do is alter fishing methods and places until the fish cooperate.

I recently hiked into a remote trout pond but felt very doubtful as we started out. It was one of those sweltering, clear days and we would not be on the water until at least nine in the morning. To make a long story short, we had only a few light strikes on flies and even bait such as the old "garden hackle" failed to put trout in our packs. It would be easy to blame acid rain for the low numbers of fish there but I suspect the scattered rising trout beyond casting distance from shore indicated our trouble. We were too late in the season—and too late in the day for best fishing.

All species of fish prefer shady habitat because they have no eyelids to squint (and can't afford sunglasses). So they shift their feeding hours to dawn and dusk. We should also.

The occasional surface rises prompted me to start with dry fly patterns such as poly-wing mayflies and tiny caddis fly imitations. Unless I got strikes within a dozen casts, off came the fly and another was tried until an assortment of nymphs, wet flies and streamers were bouncing on the bottom behind a sink-tip Cortland 444 line and light 12-foot leader. The fish were unimpressed—or at a cooler spot where we could not reach. So we punted and tried the gullible little brookies in a nearby stream (releasing them after all that effort).

Even trout in streams become difficult to catch in normal summer conditions. You will spook them away from tiny springs where it would require a belly-sneak approach. And you can count on feeding sprees when the sun sets, before it rises—and after a cooling rainshower. Generally, clear water conditions mean nervous trout and every sudden movement you make is interpreted as a diving kingfisher by a trout. Wade upstream slowly and cast long, light lines and leaders. The normal and best fish vision is to its front, away from your approach, and with a strike your reaction sets the hook downstream into the fish.

When bass fishing, concentrate on the drop-offs and other underwater "structure" that provides shade. I usually favor top-water noisy lures early and late in the day, switching to trolling and drifting deeper areas during broad daylight. Try slip-sinkers and pencil bobbins for those picky fish that would feel the resistance of normal gear. You might want to use smaller hooks that are easier to hide in a bait and of course black swivels that are not as visible as brass to those smart lunkers. Even clear blue or green monofilament is more "invisible" than those fluorescent lines and the only time they are useful is detecting slight nibbles and line movement.

There are some new gimmicks on the market that are designed to excite fish into striking and dog-day fishing is as good a time to try them as any. Scented fish oil can mask your handling odors. Rattling lures transmit enough buzzing underwater that fish can hit them blindfolded. Some even throb like struggling bait fish and all foraging fish pick up those vibrations along the lateral lines on their sides. That glittering mylar tape can be added to any normal lure colors for the added flash. Also, the waterproof "Magic Marker" felt tip pens are great for decorating flies and lures in natural or abstract designs. Theoretically, you could start out with a tackle box of uncolored lures and finish them in more ways than Heinz 57 varieties.

There is a small price for all these hot tips, however. Let me know what combination of lure and technique worked for you—with a clear black-and-white foto. (So I can try it too!)

### THE WILDERNESS QUESTION

The proposal to designate more than 50,000 acres of National Forest lands as "roadless" areas is a hot issue—once again. The first time it was considered was back in 1979 and 1980 with the result of abundant opposition being raised in the southwestern portion of the state where the four individual parcels are situated. Congressmen James Jeffords and John Seiberling of Ohio held a public hearing yesterday in Manchester on the topic and will be accepting written comments as well before legislation progresses.

In my readers opinion poll back in the spring of 1980, I asked if some sizable areas of Vermont should be reserved as roadless, "wilderness" areas. The answer was a resounding "YES," by 85.3 percent of readers who replied.

I suspect a similar ratio of outdoor minded readers would agree today as well, but at least one recent point of opposition has been falsely spread around as a reason against the "wilderness" classification. A U.S. Forest Service regulation prohibiting "commercial" uses of wilderness areas is wrongly believed to include trapping. Certainly trappers sell fur but only in myths do any exist solely on that brief, seasonal pastime as means of support. Besides, the management of all fish and wildlife, excepting migratory birds, is regulated by the Vermont Fish & Game Department at the direction of the Vermont Legislature. Hunting, fishing and trapping are allowed under the "roadless" designation but it still would be a good idea to stress the preservation of those historic sports as necessary wildlife management practices. Sportsmen and "preservationists" can be allies on this issue but each must recognize that it is the increase in offroad vehicles and networks of handy logging roads which are shrinking large parcels of wild land into accessible, vulnerable woodlots.

As a beginning hunter, I considered those roadside woodlots a sort of "wilderness." Then as quality hunting dwindled and woodlots were posted we found that the most remote areas provided that quality sport which was replaced by urban sprawl. No, we don't consider a limit of small trout or meat pole of small deer "quality" sport. Any uncrowded natural habitat where a lone sportsman can match wits with a single trophy is all that is required. The mere sight of wildlife gives satisfaction to a sportsman and killing is never his only goal.

At last Thursday's meeting of the Barre Fish & Game Club Trustees the Vermont wilderness proposal was debated and a motion passed to support it with only one negative vote.

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[Reprint from the Bennington (Vt.) Banner, Apr. 1983]

## WILDERNESS BILL DESERVES SUPPORT

This spring, public hearings will be held on a wilderness proposal written by Vermont's congressional delegation before the bill is brought before Congress. The proposal would designate as wilderness a 60,000 acre chunk of U.S. forest land in Vermont.

Vermonters should support the Congressional proposal for a number of reasons. Most importantly, the wilderness declaration can be considered a form of insurance. In the two years since James Watt became Secretary of the Interior, the public has been finding out the hard way just how vulnerable our nautral areas are. With those bitter lessons in mind, such a wilderness declaration can serve to assure the public that 20 years hence we will be hiking through woodland rather than picking our way through wasteland.

Land which is declared wilderness can be used by hunters, trappers, fishermen, hikers, campers, cross country skiers and others. It is closed to motorized vehicles, such as snowmobiles, and machinery, including chainsaws.

Understandably, snowmobilers have no kind words for the proposal. They say the 18,300 acres of Green Mountain National Forest currently labelled wilderness have caused them enough inconvenience. They have been forced off some of their favorite trails and now the government wants to push them off a few more. As many snowmobilers rightly see it, an individual who toils six days a week deserves to spend that sacred seventh day buzzing across the snow to a frozen waterfall deep in the heart of the woods.

But wilderness proponents stand just as firm on their side of the issue. They claim the natural treasurers that dazzle snowmobilers and naturalists alike will soon be scarred over if people continue to tear through the woods on dirt bikes, snowmobiles or all-terrain vehicles. Animals like the catamount and bald eagle, driven off by snowmobiles and chainsaws, will return to Vermont forests only if there are sections in which they can be protected from such intrusions.

True, the declaration of more wilderness translates into more inconvenience for snow machine riders. But according to information provided by snowmobilers, the wilderness proposal will affect only 40 of the 10,000 miles of trail they now cover. Such a small section of their terrain does not merit the fight snowmobilers are putting up. In fact, it makes their concerns seem nearsighted and selfish.

But there is yet another way to measure the value of the wilderness bill. On June 30, 1982, Secretary Watt opened 273,000 acres of the Green Mountain National Forest for oil and gas exploration by private companies. Since that time there have been over 160 lease applications filed by anxious drillers.

The only forest land spared from Watt's invitation to oil and gas drilling is the remaining 6 percent currently designated wilderness. By setting aside an additional

60,000 acres as wilderness, Vermont could save over 20 percent of its national forest from oil and gas exploration.

There are some snowmobilers who brush off the argument that rerouting a fraction of their trails might give their grandchildren a chance to see a bald eagle soaring over the treetops. But those skeptical snow cruisers should peer a little further down the trail. What they might envision is a pack of snowmobilers zipping into the heart of the forest, past empty nests and burrows, on the way to that frozen waterfall since replaced by an oil derrick.

[Reprint from the Rutland Daily Herald, Jan. 9, 1984]

## FOR WILDERNESS

There is a proposal to set aside a certain amount of National Forest to be designated "wilderness." Within the past month there have been dissertations on these pages from spokesmen on both sides of the issue. These dissertations were lengthy. One appeared Nov. 30 and the other appeared Jan. 4. The people who are opposed to the proposal dislike being called "anti-wilderness." They say they are not against wilderness as such, only against the present proposal.

One of the most articulate spokesmen for the "anti-proposal" side is state Rep. Seth Bongartz of Manchester. It is difficult to contravene so equable and amiable a personality, but it must be done in this instance because his side is wrong.

There are several types that make up the side opposed to the Wilderness Bill. Some, like Rep. Bongartz, while it would be presumptuous to expect to change their minds, you can at least argue with in a relatively amicable manner. There are others who are incapable of discussion as the most rabid right-to-lifers. You either agree with them or you are cast out into the darkness. Among these are some of the snowmobile people. You'd think, to hear them talk, that the Wilderness Bill would put an end to all snowmobiling in the state. It won't. The original proposal wouldn't have put a severe crimp in such activity, in the opinion of some of us, and the compromise now embodied in the bill has gone a long way toward leaving even more latitude in favor of the snowmobilers.

Some of the opposition seems to come from lumbering interests that dislike being shut out of what they consider good timber-cutting. Well, it's a matter of priorities. You could cut down every tree in the state, if the entire populace was so inclined. Or, if the populace wished, there could be no cutting any limbs or trees at all, and axes and saws would be banned from the state. As it is, the proposed wilderness areas are quite small in relation to the size of Vermont woodlands as a whole, so there will be plenty of timber for cutting in the years to come.

A surprising source of opposition to the Wilderness Bill has come from figures connected in one way or another with the Forest Service itself. This is another illustration how a government apparatus becomes identified and entwined with the private interests it is supposed to deal with. Other examples are some of the Pentagon agencies with the defense industry, and the nuclear regulators with the electric utilities.

Land developers and potential developers who have visions of condominiums peeping from every hilltop in Vermont, might be expected to oppose a proposal that would cut them off from even a few of those hilltops. But there are some of us who don't particularly relish that sort of prospect, and statewide surveys have demonstrated that most people in Vermont share such sentiments.

So the members of the Vermont delegation in Congress should be commended for having sought the consensus of the majority of their constituents, and for having developed a compromise that really goes a long way toward easing the more legitimate complaints about it. Now the congressional delegation should be urged to work for passage of the Wilderness Bill.

## THE USE OF WILDERNESS

The wilderness debate is an issue in need of genuine compromise.

It seems obvious that there are some substantial areas in the Green Mountain National Forest that need the extra protection offered by wilderness designation. It's also obvious that a wilderness designation isn't the end of the world, as some anti-wilderness people would have us believe.

On the other hand, it also seems obvious that some accommodation must be made to allow snowmobilers to get through or around the proposed wilderness areas. Likewise, timbering operations should continue in the majority of Green Mountain National Forest land, perhaps with more and better environmental controls than they appear to have had to this point.

The National Forest management team has rightly termed the forest land they oversee a "land of many uses." In most areas, that philosophy is a logical and moderate one. In most areas, it should prevail.

But some uses are mutually exclusive. You can't save a mature hardwood forest for future generations to marvel at and log it too. You can't have peaceful solitude in high-altitude areas crisscrossed with high-tech roads. If the more fragile uses of mountain land are to survive, they need the protection of wilderness designation, which limits other uses.

As urban pressures on Vermont grow, the values implicit in wilderness areas, areas where motors and logging are banned, where only primitive recreation takes place, will become more and more important. At the same time, places where solitude and peaceful contemplation of nature are available will become more and more scarce.

The wilderness proposal now before Congress makes a lot of sense. It's time for both sides to learn how to talk with one another so that the very qualities that make Vermont unique can be protected.

That probably means that both sides will have to give up something. Let's hope they find a way to do that which everyone can agree on. We need more wilderness in Vermont. We shouldn't lose it now because we're afraid to negotiate honestly.

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[Reprint from the Rutland Daily Herald, Jan. 4, 1984]

## OPINION—WILDERNESS COMPROMISE STOUTLY DEFENDED

(By Peter B. Smith) [1]

In recent weeks various wilderness opponents have decried the compromise legislation hammered out at a Sept. 10 session in Rutland. Various individuals have claimed that there was no compromise, that they didn't agree to it, that they couldn't speak for their groups. These are nothing more than blatant attempts to torpedo the results.

In order to better understand tis action it is necessary to review both the history of wilderness in Vermont, and the current legislation.

During the early 1970s, when U.S. Sen. George Aiken was a member of the Senate Agricultural Committee, legislation was introduced to designate eastern wilderness. In Vermont the United States Forest Service recommended both the Lye Brook and the Bristol Cliffs Backwoods Areas, and they were incorporated into the bill which eventually passed and was signed into law in 1975.

Unfortunately the Vermont environmental community accepted Forest Service boundary recommendations without review and everyone is aware of the result. Various private lands and structures were included within the Bristol Cliffs Wilderness boundary. Something which never should have occurred.

The results were predictable. People were justifiably outraged with the result that subsequent legislation redrew the boundaries removing all private lands, but not without considerable hard feeling on all sides from people whose land was taken and environmental groups for having been "taken" by the Forest Service. There is no question that this was a calculated move on the part of the Forest Service because, as then Supervisor Kent Mays told me in a private meeting, this action established a precedent. Land had never been removed from the wilderness system prior to this action. If anyone wonders why environmentalists are distrustful of the Forest Service, this action should go a long way toward an explanation.

Two years later (1977) the second Roadless Area Review and Evaluation (RARE II) was initiated on a nationwide basis by the Forest Service. The purpose was to identify lands with the potential for wilderness designation, and a set of national guidelines were released to insure nationwide uniformity in the analysis. Criteria were established, guidelines and procedures for public participation announced.

When this program was announced, I convened a series of meetings with representatives from environmental groups around the state, the purpose being to discuss how we could best respond. With the Bristol Cliffs fiasco still fresh in everyone's memory a decision was made to conduct our own analysis using the Forest Service guidelines and be ready to take active part in the public forums.

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[1] Peter B. Smith, a resident of Mount Holly, has long been active in a number of conservation efforts in Vermont. He is an executive of the Vermont Wilderness Association and holds a degree in conservation-related subjects. This article is in response to an article in this space several weeks ago by Rep. Seth Bongartz of Manchester, who opposes the wilderness compromise.

Our analysis identified approximately 100,000 acres meeting the criteria, none containing any private land. The staff of Green Mountain National Forest found no land suitable. So absurd was this position that Forest Service staff in Washington overturned the decision by placing two RARE II units—Devil's Den and Breadloaf (about 28,000 acres) in a Further Planning category.

Following this action, and in order to obtain public opinion, Rep. James Jeffords conducted a poll representing the views of some 10,000 Vermonters. Results indicated overwhelming support for wilderness designation.

At the same time Sen. Patrick Leahy held a hearing in Middlebury for the same purpose. In an attempt to resolve the situation he pointedly asked representatives of each group that testified, whether they were willing to try to negotiate a settlement. All replied that they were.

On the strength of that response, University of Vermont's Dr. Hugo John agreed to bring the sides together and find a mediator. A mediator with experience in environmental matters, Jane McCarthy, was located and meetings were held with both sides.

Finally, she wrote to Dr. John several months later that mediation appeared hopeless. While all groups on the pro-wilderness side agreed to talk, only a few on the other side were willing in spite of what they had told Sen. Leahy at the hearing.

Apparently they had decided that if no talks were held, no compromise would result, and there would be no risk of any further wilderness designation in Vermont.

From their standpoint, the issue was closed. Not so from ours. It simply meant that we had to work harder reviewing our own proposals, generating support statewide and convincing our congressional delegation that Vermonters supported wilderness designation for parts of Green Mountain National Forest.

The bill introduced last year was the result. Using the original RARE II boundaries, about 63,000 acres were suggested for wilderness designation. This was better than the Forest Service. Further Planning recommenation of 28,000 acres but still a far cry from the 100,000 originally proposed as meeting Forest Service criteria.

It should be pointed out that the lands in question qualify and are suitable basically because they are less productive and less accessible than the remainder of Green Mountain National Forest. For the most part they are neither at high elevations such as much of the Breadloaf and Big Branch areas or include extensive wetlands, typified by the George D. Aiken area. Had these been prime timber areas, they long ago would have been roaded to the point of non-compliance.

The howls from the opposition were immediate. How could our congressional delegation so blatantly oppose the wishes of Vermonters. The issue was dead, we heard having been laid to rest in 1978, we were told. That was certainly the opposition's desire.

Once again Mr. Jeffords conducted a poll and the entire delegation scheduled hearings, one at the relatively neutral site of Middlebury, the other in the opponents backyard of Manchester.

Once again Mr. Jeffords' poll demonstrated overwhelming wilderness support—even greater than five years ago. Now 72 percent supported the concept with only 22 opposed. In 1978 the figures were 63 and 29 percent respectively.

In Middlebury on May 31, people testifying supported the wilderness designation legislation by better than two to one, in spite of what state Sen. Baker and others are not saying. A look at the hearing record will easily verify this.

After the hearing a meeting was held in Rutland June 3 with representatives of both sides present. A tentative compromise was worked out involving deletion from the bill of several large deer yards to permit Forest Service management of these areas, deletion of several lakes and areas heavily used by snowmobilers including Branch Pond, Griffith Lake, and Wallingford Pond, deletion of a large part of the Lye Brook addition while providing for a snowmobile corridor from north to south through the Big Branch area.

Everyone left the meeting I believe, feeling that reasonable solution had been found. Unfortunately it was not until several weeks later that problems arose as other members of congress refused to accept this solution fearing a precedent setting situation of wilderness areas with through snowmobile corridors.

Now enter Rep. Bongartz and Sen. Gardner with a proposal for 22,000 acres of wilderness. This from people who had taken no part in the controversy at any time in the past five years, had made no attempt to negotiate a solution in 1978, and with a proposal patently absurd to everyone who had been working so hard to arrive at a reasonable solution.

The absurdity of this suggestion was clearly put in perspective by Gov. Snelling (certainly no "raving" environmentalist) who suggested approximately 36,000 acres be designated wilderness.

Had these legislators, now so concerned, come forward one time in the last five years and said: "Let's sit down and see what can be worked out," perhaps the environmental community would have looked on their proposal with less skepticism that it did. Their proposal was put forward with no knowledge of the Forest Service guidelines and apparently little knowledge of the Wilderness Act itself.

On July 9, a hearing of the U.S. House Public Lands subcommittee headed by Rep. John Seiberling was held in Manchester, hotbed of wilderness opposition. The hearing was held there to allow opponents, who claimed Middlebury was too far away, a chance to testify close to home though proponents were less than enthusiastic about the site feeling it was holding the dice against them.

When the dust cleared only 36 people spoke against the proposal while 86 favored wilderness designation for the lands in question. Still Mr. Bongartz maintains this proposal is being shoved down the throats of Vermonters.

Every poll conducted, every congressional hearing held, has demonstrated overwhelming wilderness support in the state. Does he claim some mechanism for measuring public sentiment better than the measures used by our congressional delegation? No, it is just that he doesn't like the results.

After the hearing several more negotiating sessions were held culminating in the Sept. 10 meeting. At none of these meetings was Mr. Bongartz present.

Let's look at the compromise, a solution which came remarkably close to the proposal set forth by Gov. Snelling and the state.

Wilderness advocates accepted a reduction in acreage of about 22,000 acres from the original 63,000 acre proposal. Reductions included:

1. Elimination of a part of the George D. Aiken area to accommodate snowmobilers in exchange for a smaller piece on another side.

2. Elimination of a large part of the Lye Brook Wilderness Addition, including Branch Pond, to accommodate snowmobilers.

3. Elimination, in the Big Branch are of the entire wilderness proposal north of Forest Highway 10 including Wallingford and Fifield Ponds in order to accommodate snowmobile concerns. This, in spite of the fact that the state's proposal recommended significant wilderness north of the road. In return, this area was designated a National Recreation Area. To have permitted logging and road construction as usual here would not be to designate a recreation area but rather to turn this back to normal forest use.

Would Mr. Bongartz prefer the additional 5,500 acres of wilderness, proposed by the state north of the road, over National Recreation Area designation? Certainly the snowmobilers would not.

For Mr. Bongartz to suggest that this area "could not fit any rational person's definition of wilderness in the first place" again demonstrates both his lack of familiarity with the land involved and the Wilderness Act itself. This high basin of beaver ponds, peregrine falcons nest sites, home for bear and bobcat, and dense forest is one of the wildest areas in Green Mountain National Forest and has been under consideration for about 10 years. Probably no area in Vermont is more qualified.

Study of this area predates, by several years, designation of Lye Brook and Bristol Cliffs Wildernesses.

Again Mr. Bongartz demonstrates his lack of knowledge, this time of the compromise itself. In order to accommodate the concerns of hunters, and the state Fish & Game Department, the several large deer yards were excluded from both Wilderness and Recreation areas in order to permit continued Forest Service management. These were the only significant yards in the area and represented several hundred acres.

Finally, in addition to Forest Highway 10, at least four other roads have been left open to provide access into the Recreation Area. These include Forest Highways 20, 30, 60 and 253.

4. In the Breadloaf area, specifically in response to both logging and snowmobile interests, a number of significant deletions were accepted by wilderness proponents during negotiations. These included some large areas on the eastern side near Granville Gulf which had valuable timber. In fact, in at least one case, the Forest Service itself had recommended addition of an area to the wilderness proposal which was subsequently deleted due to concerns for timber expressed by loggers.

It is unfortunate that Mr. Bongartz has so vehemently attacked the wilderness compromise and our congressional delegation without really knowing or understanding what was happening or what the compromise entailed.

Certainly not everyone is pleased with the compromise. That's the nature of compromise. The hardest pill, by far, for wilderness proponents to swallow was deletion of all wilderness north of Forest Highway 10 and fragmentation of the two areas south of the road.

In the words of some members of the Vermont Wilderness Association, this was "the crown jewel" of the entire proposal, and losing it was a particularly bitter pill. National Recreation Area designation, while better than nothing, is clearly not the same as wilderness. That was, after all, why those opposing wilderness accepted it.

Concessions by our side, as noted above, have repeatedly been made to accommodate hunters, snowmobilers, and loggers. One has only to look at the decrease in acreage, if nothing else, as proof. No other concessions can or will be made. Negotiations were concluded three months ago, and it is time now to get on with passing the bill. That is the desire of the vast majority of Vermonters, and the opposition by a handful of diehards who were never willing to compromise in the first place, and so claim no compromise was made, must not be allowed to thwart the desires of Vermonters for passage of this legislation.

# STATEMENT OF LOWELL KRASSNER

## VERMONT GROUP SIERRA CLUB

The Vermont Group of the Sierra Club, representing over 900 members and their families, endorses the legislation, H.R. 4198, under consideration for the Green Mountain National Forest. These additions to the National Wilderness Preservation System and the designation of the White Rocks National Recreation Area are a sound and reasonable compromise for the disposition of these potential wilderness acres.

Designation and protection of an ample and wisely selected Wilderness System as a heritage for future generations to enjoy, as a reservoir for natural genetic diversity, as critical habitat for rare or endangered plants and animals, and as a baseline for scientific study is one of the critical obligations of this generation of Americans. The accelerated pace and intensity of development which threaten our shrinking base of primitive lands make it clear that action must be taken now to preserve a sample of our wild lands.

Designation of Wilderness Areas is often a controversial matter. A variety of claims about the impacts of designation on timber supply, recreation, wildlife, federal and local revenues, access, and permitted activities and uses will be advanced. Often there is an assertion that too little is known, and that more studies and data are required before a decision can be rendered.

For the Green Mountain National Forest, very complete studies on potential uses, projected costs, and likely impacts of Wilderness Designation already exist. These data and studies are the result of work by both government agencies and private groups. They show conclusively that Wilderness Designation for the areas proposed is the most cost-effective option available for them, and that the greatest public benefit results if these areas are added to our nation's Wilderness Preservation System. Likewise, special management provisions for the White Rocks National Recreation Area will benefit the public and are cost-effective. The factual arguments supporting this position are documented in the following sections.

### 1. Wilderness and the Multiple Use Principle

It is often claimed that wilderness protection conflicts with multiple use of national forest land, since certain values are emphasized and certain activities are excluded in wilderness areas. This claim is false, for, the laws and regulations governing the national forests[1,2,3] make it clear that multiple use is a principle to be used

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[1] National Forest Management Act 16 USCA §§1600 et seq. (Supp.1977)

[2] Multiple Use-Sustained Yield Act 16 USCA §§528-531 (1974)

[3] NFMA Regulations, esp. §219.13(c)(3)

in overall allocation of national forest land among a variety of possible uses. Furthermore, these laws and regulations clearly state that the best multiple use plan does not necessarily provide the maximum dollar return, and that values other than economic must be served.

In allocating land among various possible uses, the multiple use principle recognizes that it is economically, ecologically, and physically impossible to accomodate every potential use on every acre. Instead, dominant uses are recognized and allocated on particular parcels of land. Thus it is clear that intensively developed recreation, as at campgrounds, picnic areas, and ski centers, is not compatible with logging operations, that protection of water resources or wildlife habitat may preclude mineral development, and that developed recreation areas and off-road motorized vehicle use do not mix well on the same tract of land.

The Multiple Use-Sustained Yield Act of 1960 specifically states that national forests shall be administered for "...outdoor recreation, range, timber, watershed and wildlife and fish purposes..." and that "...establishment and maintenance of areas of wilderness are consistent... with this Act." Thus, the compatibility of wilderness with multiple use was established before the Wilderness Act itself.

Of the multiple use purposes cited above, wilderness provides an ideal setting for:

1. outdoor recreation
2. watershed protection
3. wildlife and fish

On Green Mountain National Forest. grazing is a very minor use. Thus, of the four purposes relevant to GMNF provided for in the Multiple Use-Sustained Yield Act, three are ideally served in wilderness areas. The compatibility of these three purposes with a wilderness setting is far greater than their compatibility with most of the commercial activities advocated as "multiple use" by wilderness opponents. Additionally, it is reasonable and consistent to use public lands to fulfill those purposes which are least likely to be met on private ownerships. Wilderness is a perfect example of such a purpose, since only public lands can by given the long term stewardship which is required. Conversely, private ownerships, which have relatively rapid turnover in management, and which must provide, over the longer term, some form of economic return, are best suited to various forms of commercial development.

## 2. Timber Supply and Economics

One of the major arguments raised against Wilderness Designation is its alleged impact on timber supply, economic activity, and employment. For Vermont, a public study[4] shows that a more than ample timber supply exists

[4] Opportunities and Choices--The Future of Vermont Forests, prepared by Resource Policy Team, Vermont Forest Resource Advisory Council (FRAC), June 1981

outside the Green Mountain National Forest. This report shows that less than half of the annual growth in Vermont forests is currently being cut, and that only half of the volume cut is actually used. Thus, if one accepts the assertion that only 2.2 million of Vermont's 4.4 million acres of commercial forest is actually available to the timber market, then it is still clear that more than adequate supplies are available. Furthermore, it is generally agreed by the forestry profession that the productivity of Vermont forests can easily be increased through sound management procedures.

Figures from a Forest Service study show that under economic management, potential timber yield from GMNF as a whole is about 31 million board feet per year. The total potential yield of all "primitive" lands on GMNF (112,900 acres, which includes presently established wilderness areas and the additional lands which qualify for possible designation) is 12.5 million board feet per year. The potential for the areas in the legislation is less than 7 million board feet. In 1979, a year cited by the Vermont FRAC report as "...excellent for the logging industry...", a total of 679 million board feet was cut in Vermont forests. Using these figures, the total annual potential for GMNF is 4.6% of Vermont's 1979 production, the potential for all primitive acreage in GMNF is 1.8% of 1979 production, and the potential of areas included in the present legislation is less than 1% of 1979 production.

It is evident that the legislation now before the Senate would only remove about 1% of the total timber production for 1979, an amount that can readily be replaced by bringing a small increment of private holdings into the active timber market, or preferably, by improvingforestry techniques on lands already available for timber supply.

The Vermont FRAC report goes on to assert that 2.5 - 3 million cords could be harvested annually from Vermont forests without affecting areas reserved for wilderness, wildlife habitat, or environmental protection. Since less than 1 million cords (700 board feet = 1 cord, the figure used by FRAC) were cut in 1979, this indicates that there is more than adequate potential to double the timber harvested in Vermont without affecting the areas under consideration.

A potential shortfall noted by the FRAC report is that cutting of white pine currently exceeds annual growth. A study by the Congressional Research Service[6], however, states that only 2% of Vermont's softwood stock is on

[6] Cong. Res. Svc, Vermont Wilderness Designations, R.W. Gorte (May 16, 1983)

federal land. Most of this softwood is not white pine, and there is little potential for growing white pine within GMNF, especially in the areas contained in H.R. 4198.

Beyond the question of availability of adequate timber supply to support Vermont's wood-using industry is the issue of economic efficiency of U.S. Forest Service timber sales in Green Mountain National Forest. A report published by the Natural Resources Defense Council[7] analysed timber sales on all national forests for the years 1974-1978. Only 50% of road construction costs were assigned to timber sales in this analysis, although the major rationale for Forest Serfice road construction is to support timber sales. For GMNF, the ratio of sales receipts to sale administration and partial road costs was .41. In other words, for every dollar spent on timber sales in GMNF from 1974-1978, the federal government realized proceeds of forty-one cents. Indications are that this uneconomic situation continues to the present.

The economic projections for potential timber receipts and sales costs in the areas proposed in the present legislation are similarly negative. The Forest Service projected an annual net loss to the federal treasury, should the Forest Service construct and maintain the roads needed to sell the timber on these lands. Even this figure is optimistic, for it includes only road costs, and not those of timber sale layout, marking, and administration. Moreover, these figures do not incorporate an appropriate discount rate on the funds used to build these roads.

Another claim often made is that some number of jobs may be associated with production of a given amount of timber, and that these jobs are lost if timber is not cut. These jobs are actually lost only if there is no alternative supply to meet market demands. The preceding discussion amply illustrates the existence of alternate supplies of timber from the private sector. Moreover, it is important to note that the areas in question, being largely inaccessible, are contributing little or no timber at present. Any long term employment attributed to them is largely speculative.

The distribution of the areas to be designated as wilderness and National Recreation Area further minimizes any effects on employment, for areas of national forest open to logging continue to constitute the majority of GMNF in both northern and southern sections of the forest.

[7] Giving Away the National Forests, background paper for NRDC by Thomas J. Barlow (June 1980)

Firewood gathering is an activity which is concentrated along accessible roadsides. Again, because the proposed wilderness areas are roadless, there is no significant change in the volume of firewood available.

From the foregoing discussion it should be clear that designation of wilderness and National Recreation Area on these Green Mountain National Forest lands will have no significant effect on either timber supply or employment in Vermont. This conclusion was reached in the Forest Service RARE II Supplement for Northern Appalachian and New England States (june 1978).

### 3. Wildlife

The suitability of wilderness areas for wildlife should be implicitly clear, for the variety and abundance of wildlife was widely noted by the first settlers to enter the region. For many species which are particularly sensitive to human activity, the disruption of the necessary primeval forest habitat and intensive exploitation led to extirpation.

A recent publication by Vermont's State Naturalist[8] enumerates many of the species of mammals which formerly were found here. Among those no longer present are woodland caribou, elk, wolverine, and timber wolf. Those whose presence is highly doubtful include the lynx, pine marten, and panther. For some of these creatures, reappearance is most unlikely, but preservation of wilderness areas makes habitat available for those which are capable of establishing themselves. For other species which maintain small but viable populations, preservation of wilderness would assure adequate space for their continue habitation. Examples of such species are moose, fisher, and bobcat.

Many species of birds require the mature forest habitat and isolation which wilderness provides. Among them are the pileated and black backed woodpecker, the loon, the goshawk, and other large raptors, and a variety of warblers, vireos and other songbirds.

Numerous other varieties of wildlife, e.g. amphibians and reptiles, inhabit wilderness. Some may be so uncommon or unobtrusive as to be still unknown to us. Wisdom dictates that we should preserve their habitats and the genetic diversity these species embody.

Within the wilderness, openings for wildlife occur through a variety of processes: Beaver dam streams, and their ponds are studded with snags hollowed out by

[8] The Nature of Vermont, by Charles W. Johnson, Univ. Press of New England (1980)

piliated woodpeckers and eventually used by wood ducks; the ponds eventually fill in to become meadows where deer feed, and the regrowth of trees on the meadows also provides browse. Windthrow and the die-off of mature trees also result in openings where aspen and other sun-loving trees grow to provide a variety of habitat and food sources.

For some species, particularly game, it is argued that wilderness designation prohibits habitat manipulation necessary to maintain needed habitat. Yet in the cited reference[8] (see p. 6), Johnson tells us that white-tailed deer were abundant in the virgin forest, that wild turkey require the abundant mast of mature forest, and that black bear den sites require the isolation from human disturbance that wilderness provides.

Establishment of the White Rocks National Recreation Area, with provisions permitting continued wildlife management actions, coupled with removal of known and suspected deer yard areas from within wilderness area boundaries, assures maintenance of habitat for species which require openings.

## 4. Vegetation

While the majority of Vermont land is subject to vegetative change caused by human manipulation, these areas, preserved as wilderness, would develop a natural complement of mature forest plants and trees. The trees would eventually grow to sizes not generally seen, and the distribution of varieties present would be different from that normally seen.

Rare species of plants present in some of the fourteen Vermont Natural Areas, which are part of the proposed White Rocks National Recreation Area, would best be protected by designation in this legislation.

The potentialities of a wide variety of plants and micro-organisms for human utilization have never been investigated. It is a wise course to ensure the survival of this rich genetic pool by preserving the natural conditions under which these species developed. In the past, valuable antibiotics and other substances have been discovered when scientists finally turned attention to such biota.

## 5. The Scientific Baseline

Aside from undiscovered potentials of microorganisms, the wilderness area as a whole serves a valuable function as an ecological laboratory. By retaining a substantial ecosystem in its natural state, allowing only natural processes to influence events, a base of scientific data can be accumulated. This base can be used to measure the effects and impacts, the gains and losses, which result from human manipulations in the forest.

We are now recognizing the value of data taken eighteen years ago on Camel's Hump. By comparing the quality and abundance of vegetation then with similar measurements taken today, a quantification of the suspected harmful impact of acid rain is now developing. No one can forecast which measurements may be needed in the future, but the presence of substantial wilderness areas may prove invaluable to scientists in future decades.

6. Soil and Water

No better protection for water quality and erosion prevention exists than to retain lands in wilderness condition. The protection of watersheds for human use, for high quality fisheries, and for flood prevention is excellently served by wilderness areas. One of the primary motivations for establishing Green Mountain National Forest was to prevent recurrence of disastrous floods. Establishing these wilderness areas is an appropriate wa to help fulfill that commitment.

7. Recreation

The use of wilderness areas for human recreation is well established. All forms of non-motorized recreation, for all people, has always been permitted. Hunting, fishing, hiking, camping, ski touring, rock climbing, bird watching, horseback riding--all are traditional recreational uses, and will continue. Children, parents, senior citizens and robust athletes are all found enjoying wilderness recreation.

For many citizens, wilderness is an invaluable change of pace from a mechanized world. For others, it is a renewal of past traditions. For the long distance hiker and backpacker, it is an opportunity for untrammeled roving away from the sights and sounds of civilization. For the hunter, it is a chance to stalk and hunt in a setting like that encountered by the first primitive hunters on the continent.

The 1978 Forest Service RARE II Supplement, p. 86, shows that for all of the areas considered, non-motorized recreational use exceeded motorized recreation by factors of from 2 to 20.

It should be recognized that wilderness has a positive economic effect in attracting recreationists and tourism. The beauty of Vermont's mountains is known throughout the nation, and preserving a part of them as wilderness would enhance that attractiveness. Many come to hike the Long Trail, "a footpath in the wilderness". Designation of these wilderness areas would make that well-known phrase an official reality. The Sierra Club is especially pleased that the legislation protects the traditional uses and facilities of the Long and Appalachian Trails where they pass within the boundaries of wilderness areas and the NRA.

## 8. The White Rocks National Recreation Area

Establishment of the White Rocks National Recreation Area permits continuation of existing recreational uses while protecting the unique scenic, environmental, and natural values it contains. Dedication of this large area to recreational uses is a substantial step in providing much needed extensive outdoor recreation land in the populous Northeast.

## 9. The Unseen Threats

One of the most important benefits of this legislation is the protection it affords against the unanticipated threats that may occur in the future. In 1979, when hearings in the RARE II process held, there was virtually no discussion of oil and gas leases on GMNF. In the past two years, however, this issue has been raised, and the Forest Service initially decided that all of the areas now under consideration, along with almost all the rest of GMNF, should be open to such leases. Although the Forest Service is now reviewing this decision, the only sure protection that can be given to some portion of GMNF is through the legislation now under consideration. Forest Service administrative procedures are clearly not adequate to assure the needed permanent protection for at least some portion of GMNF.

Oil and gas leases are merely one example of an unforeseen threat. The possibility that Vermont may become a repository for high or low level nuclear waste is another, recently coming under public scrutiny. There is no way to be certain that our national forest will be protected from all potential threats, but H.R.4198 will assure maximum legal protection possible in the National Forest System. These intrusions should be foreclosed for at least some small fraction of Vermont. Passage of H.R.4198 will accomplish this on part of Green Mountain National Forest.

## 10. Payments to Towns

There is an enormous amount of misunderstanding regarding payments in lieu of taxes to local communities. Present law calls for payment in lieu of taxes of 75 cents per acre of national forest land to communities in which national forests are located. This is the minimum called for by law. If 25% of national forest revenues exceed 75 cents per acre (computed over the whole forest) then payment of the larger 25% figure is made. If receipts are short of 75 cents per acre, then the shortfall is made up from the general treasury.

At present, GMNF receipts are only 38 cents per acre, of which less than 30 cents results from timber sales[9]. Clearly, increasing GMNF timber sales by as much as 100% would not bring total revenues above the 75 cents base figure, and local communities are receiving national forest payments which are independent of timber sale receipts. Logging in the proposed wilderness areas or the NRA would not increase revenues to local communities, and this is not a legitimate basis for opposing wilderness designation.

## 11. Sufficiency Language

H.R. 4198 contains so-called "release" language identical to that incorporated in previously passed legislation. There are excellent reasons for continuing this practice in the Vermont legislation.

The release language in this legislation has proven workable, and has caused no problems for Forest Service land managers. Mandating particular forms of management legislatively, as in "hard" release language, would be likely to impose unwise, uneconomic choices on land managers. Furthermore, the requirement that multiple uses other than wilderness be followed is in conflict with the Multiple Use Act itself, as section 1. of this statement shows.

For the ownership pattern of Green Mountain National Forest, there are additional concerns. The Forest Service continues to acquire additions to GMNF, and these tracts should be open to the full range of planning alternatives, including wilderness, when land use plans are written. Most of the newly acquired tracts will be contiguous with the present GMNF ownership, and wise and efficient planning should permit the Forest Service to make its decisions based upon best use for an entire parcel, not upon artificially drawn distinctions.

It is important that the Forest Planning process not be compromised by unwise, unnecessary and artificial distinctions.

## Concluding Remarks

The foregoing discussion has provided numerous reasons for designating as wilderness the areas under present consideration. The economic impacts are a net benefit to the U.S. Treasury, there is no loss of needed resources, habitat for rare forms of wildlife is provided, watersheds are protected, the recreational needs of a large segment of the public are served, and the lands selected are large enough in area to sustain viable ecologies,

[9] Data furnished by GMNF Supervisor, Stephen Harper

while being reasonably dispersed over the whole forest.

There is more to wilderness than mere economics and scientific data. Protecting wilderness signifies a commitment to both the past and the future, for wilderness is an integral part of American history, and is also a representation of faith in our future as a nation. It symbolizes our belief that there will be future generations to enjoy it and learn from it. It betokens a commitment to transmit spiritual goals and to forego, on behalf of future generations, some measure of present material gain.

Moreover, setting aside some areas as wilderness also exemplifies our commitment to share this planet with the other living forms upon it. This commitment is not just spiritual, but is recognition of the reality that we, as a species, cannot exist without our fellow creatures, both animal and vegetable. In the final analysis, devoting part of our land to wilderness is acknowledgment of basic reality.

## STATEMENT OF WARNER SHEDD, NEW ENGLAND REGIONAL EXECUTIVE

## NATIONAL WILDLIFE FEDERATION

My name is Warner Shedd, and I am the New England Regional Executive for the National Wildlife Federation. The National Wildlife Federation is the nation's largest grassroots conservation organization. It has affiliate organizations in 49 states, plus Puerto Rico and the Virgin Islands, and comprises approximately 4 million members and supporters.

Because the Federation is deeply concerned about fish, wildlife, and forest values, we welcome this opportunity to comment on H.R.4198. Although Vermont is a rural and predominantly forested state, it has relatively little land which can be considered remote or inaccessible. An extensive network of public roads is increasingly supplemented by gravel roads built for logging, second home development, and a variety of other purposes. As a result, habitat for so-called "deep woods" species of wildlife is constantly shrinking. Deep woods species of wildlife can be defined as those species which thrive best in large, unbroken tracts of forest which are generally remote from human activity. Black bear, bobcat, pine marten, and the pileated woodpecker are good examples of deep woods species. At the same time, Vermont has no shortage of habitat for so-called "edge species" of wildlife, such as white-tailed deer and grouse; these species thrive in proximity to various human activities, such as logging and farming.

While habitat for deep woods species of wildlife is not yet in critically short supply in Vermont, it does not take much of a crystal ball to see that it will be, in the not too distant future. As more and more roads are built, and more and more development takes place, deep woods habitat will continue to shrink. The only place in Vermont where it is practical to preserve significant areas of habitat for deep woods species is the Green Mountain National Forest. That is why the National Wildlife Federation fully endorses H.R.4198, which will set aside 39,000 acres of wilderness and some 23,000 acres of related National Recreation Area largely as habitat for deep woods species of wildlife. At the same time, the National Recreation Area will allow other legitimate recreational needs to be met by providing for snowmobiling, limited vehicular access, and management for edge species of wildlife in proximity to certain roads and edges of the forest. This balance between competing needs and interests has been carefully crafted and consequently has received the approval of a number of diverse groups in Vermont, including our Vermont affiliate, the Vermont Natural Resources Council.

I would now like to turn to a more personal view of the need for more wilderness in Vermont. I was raised on a Vermont dairy farm and am a fifth or sixth generation Vermonter, depending on how such things are counted. I mention this seeming irrelevancy only because some wilderness opponents in Vermont have tried to foster the impression that true Vermonters don't want wilderness - that the impetus for wilderness comes only from a tiny band of elitist zealots who are city folk and flatlanders only recently come to Vermont. Nothing could be further from the truth. I and thousands like me want wilderness in Vermont for reasons which I shall describe.

My outdoor career started at the age of 5, when my grandfather took me fishing on "The Crick," a fairly large and very beautiful stream which gurgled and chuckled its way down its rocky course through our farm. Although we caught only dace and chubs, I was totally enthralled by the experience, which made me a lifetime addict of the outdoors.

At the age of 9, I began to hunt, taking my .22 rifle into the woods to hunt squirrels, grouse, and other small game. Then I truly began to watch and listen to what was going on around me. I learned to stalk quietly and to wait patiently. Most of all, although I failed to realize it at the time, I came to crave the pervasive stillness of the woods, broken only by the songs of birds, the sounds of animals, the rush of the wind, and the murmur of flowing streams.

As I grew older, I became one of that band of sportsmen which prided itself on working hard in order to find quality hunting and fishing. It was a well known fact, for example, that the fisherman who was willing to hike 4 or 5 miles back into the woods was very apt to be rewarded by exceptional fishing. These men and women, whom I attempted to emulate, felt that not all hunting and fishing should be easy, and that reasonably strenuous physical effort was part of the experience which should be sought by those who considered themselves true sportsmen.

Along with hunting and fishing, camping also became one of my favorite activities. When I was in college, I sometimes headed out for a weekend, armed only with sleeping bag, tarp, food and a few utensils, and my fishing gear. Using compass and topographic maps, I would hike cross country to explore some remote stream or pond. All of this was possible because remote tracts of forest were common - almost the rule -throughout the Northeast.

Gradually, almost imperceptibly, all of this began to change. Logging was no longer the benign activity I had known as a boy, or even when I obtained my Bachelor of Science degree in Forestry. Then the philosophy was to bring the logs to the truck. Soon, however, the philosophy became that of bringing the truck to the logs. More and more improved logging roads were built, and huge skidders and crawler tractors bulldozed lesser roads here and there amidst giant clearcuts. At the same time, large numbers of people began to acquire 4-wheel drive vehicles which could, with enough effort and ingenuity, be driven on logging roads and the new, wide skid roads into what had heretofore been the most remote and pristine areas.

I must admit that these changes sneaked up on me. It was not until our two sons were old enough to go on camping and fishing trips into remote areas that I realized the full extent of what had taken place. Time after time, we carefully planned an expedition which would take us away from the pervasive sounds of motors, machines, and other forms of human activities. Time after time, we sought areas which might only occasionally see a hunter, fisherman, camper, or hiker. We pored over maps, asked questions, sought advice. Most of all we anticipated. We savored the thought of the wild, unspoiled country which we dreamed of - and each time we returned defeated and with the bitter knowledge that yet another remote bastion of all that was unspoiled and wild had fallen to the bulldozer, the skidder, the chain saw, the gravel truck, and the 4-wheel drive. I mourned these losses, not only for myself, but for my sons and those who will come after them. Do they not deserve the chance to enjoy what I once enjoyed? Must everything once wild be reduced to the lowest common denominator? People who want to drive to their recreation certainly deserve consideration; they have a right to their recreation, too, but must everything be laid open to them?

Last spring, a fishing partner and I took a 4-day trip into the Big Branch area of the Green Mountain National Forest. This is described in H.R.4198. Suddenly, I was transported back in time. Here was remoteness - and silence! We fished magnificent, tumbling, pristine streams. We camped, hiked, took pictures. We refreshed and recreated ourselves in wildness. Most of all, we reveled in the constant freedom from the noise of human activities. In fact, we wallowed shamelessly in a sea of silence. In four days we heard only a handful of airplanes, plus the sound of one motor so distant that we were unsure whether it was a chain saw or a truck. There are remote places left, even in Vermont. I need them. My sons need them. Their descendants and thousands of other people, living and unborn, need them. But these remote places will surely vanish unless we act now to protect them. As a Vermonter, as a hunter and fisherman, as a father, I ask you to endorse this bill and insure its speedy passage.

I thank you for allowing me to present the views of the National Wildlife Federation and some of my own thoughts on H.R.4198.

**(The following material was supplied by Bruce Shields, Chairman, Vermont Forest Coalition, see p. 30 for oral reference.)**

STATEMENT OF PRINCIPLES

Vermont's Green Mountain National Forest is an invaluable resource and heritage for the people of Vermont. It must be managed wisely to preserve a wide range of uses for today's Vermonters, visitors and future generations.

The U.S. Forest Service, charged with the management of the Green Mountain National Forest, must continually attempt to resolve the competing demands of a wide diversity of interests. We believe that to the maximum extent allowed by the National Forest Management Act, user conflicts should be resolved in Vermont. They should not be decided by people in Washington, whose attitudes and interests are often wholly different from those of the people of our state.

To resolve these competing demands, Vermonters need an ongoing process whereby those representing different interests can come together, in a spirit of mutual accommodation, to seek fair and reasonable adjustment of conflicts. We believe that in a proper framework reasonable people can eventually find a way to accommodate all interests fairly in an atmosphere of mutual understanding. We believe that such a framework must allow periodic reexamination and modification of recommendations in response to the changing economic and recreational preferences of Vermonters of the future.

To make such an ongoing process work there must be a continuing and meaningful opportunity for Vermonters to make recommendations to the local Forest Service office as it prepares and implements the forest management plans required by law. Without such an opportunity the possibility for mutual accommodations recedes, and the use of the forest must necessarily become a controversial political issue.

For Congress to designate more perpetual wilderness in Vermont would mean that, for the forest lands included, a once-and-for-all decision by Congress would forever control the future uses of Vermont's national forest, regardless of changing circumstances and Vermonters' future preferences. Such action by Congress would also destroy the chance for establishing a meaningful process of accommodating conflicting interests by Vermonters here in Vermont. This we cannot accept.

We can - and we do - accept the responsibility for working together with those who favor more wilderness designation to try to produce consensus recommendations to the Forest Service for management plans which are as fair and reasonable as possible to all of the various interests involved. We believe a consensus could be reached on the long term setting-aside of many thousands of acres of Green Mountain National Forest as primitive areas. In such areas there could be a moratorium on timber or mineral production and commercial development that would irrevocably alter the character of the forest. But unlike Congressionally designated wilderness, reasonable adjustments could be allowed to keep trails open with motorized equipment, continue economical pond stocking for better fishing, maintain rustic bridges and primitive trail shelters, and provide wintering areas for the deer population.

There could be arrangements to relocate snowmobile trails, or to limit snowmobiling to certain areas at certain times. There could be special provision made for accommodating the recreational needs of the handicapped. Limited harvesting of dead and down wood for the fuel needs of Vermonters could be allowed. Response to emergencies or natural disasters would be enhanced. None of these reasonable provisions would be allowed in Congressionally designated wilderness.

There would also be an opportunity to recommend the issuing of permits to qualified organizations to manage certain forest areas as wilderness or nature reserves.

In New Hampshire the Governor and Congressional delegation took the initiative to create a semi-official White Mountain National Forest Advisory Council to address the Carter Administration's RARE II study in 1978. Its membership today includes representatives of the Sierra Club, Society for the Preservation of New Hampshire Forests, the ski and timber organizations, the Audubon Society, the Appalachian Mountain Club, the University of New Hampshire, the New Hampshire Snowmobile Association, and the public.

Largely as a result of the work of this Council, strongly supported by elected officials, New Hampshire has been spared the violent political battles over wilderness that have plagued Vermont, despite the fact that there is half again as much wilderness in the White Mountain National Forest. By the accounts of the participating organizations and of the Forest Service, the Council has been a smoothly working forum for resolving disputes and producing a responsible consensus. We believe this represents an approach which would benefit Vermont and Vermonters. We thus call upon Governor Snelling to take the initiative in recommending the prompt creation by the Secretary of Agriculture of a Green Mountain National Forest Advisory

Council, as authorized by section 309 of the Federal Land Policy and Management Act of 1976.

Such a Council would be composed of up to 15 Vermonters representing the various interests relating to the Green Mountain National Forest, including appropriate local and state government officials. The Council would review the planning and management of the Forest, stimulate increased public participation in the Forest Service planning process, and provide a forum in which Vermonters could work toward a consensus for the resolution of competing user demands. We have every reason to believe that the Forest Service would welcome such citizen input and make every effort to implement its consensus recommendations.

The Vermont Forest Coalition pledges, on behalf of the organizations represented in it, to give full support to the efforts of such a Council, and to make a sincere effort to arrive at fair and reasonable accommodations of forest use conflicts in the interest of all. Through participation in this process, wilderness advocates would also gain a voice with respect to a wide range of matters which the Forest Service now supervises throughout the National Forest.

We know that it is not possible for all competing interests to achieve their fullest demands for the use of a limited and valuable natural resource. Yet we believe that the creation of the process found to work so well in our neighboring state would maximize the changes of mutual accommodation and reduce the political polarization which now afflicts Vermont on matters of National Forest use. It would leave decisions about the future use of our National Forest in the hands of Vermonters, rather than remove that decision making power to Washington to be exercized by others with little knowledge of our state and the interests of our people. It could lead to the achievement of the goals of a large number of organizations - wise resource use, wildlife preservation, responsible recreation, and at last, a consensus behind the protection of forest areas better left to future generations in the form of wilderness untrammelled by the works of man.

Adopted in Rutland, Vermont, August 10, 1983

The Vermont Forest Coalition is composed of the following organizations:

Vermont Association of Snow Travellers (VAST)
Vermont State Farm Bureau
Vermont State Grange
Vermont Federation of Sportsmens Clubs
Sportsmen's Alliance for the Vermont Environment
Vermont Trappers Association
Vermont Timber Truckers and Producers Association
Society of American Foresters (Green Mountain Division)
Vermont Taxpayers Association
Devil's Den Committee
Vermont Ski Areas Association

The officers of the Vermont Forest Coalition, elected August 10, 1983, are:

Chairman: Bruce Shields of Wolcott, Secretary of the Vermont Timber Truckers and Producers Association.

First Vice Chairman: Stan Zecher of Manchester, President of the Green Mountain Trail Blazers Snowmobile Club.

Second Vice Chairman: George McNeill of Dorset, Executive Director of the Sportsmen's Alliance for the Vermont Environment.

Secretary-Treasurer: Roland Q. Seward of East Wallingford, board member of the Devil's Den Committee.

Honorary Vice Chairman: Perry Merrill of Montpelier, long time Vermont Commissioner of Forests and Parks.

Resolution Adopted by the Vermont Forest Coalition, 1983

## VERMONT OPEN FOREST RESOLUTION

WHEREAS, Vermont's Green Mountain National Forest is an invaluable resource and heritage for the people of Vermont, and

WHEREAS, this great resource provides an important contribution to our state's economy, along with diverse recreational opportunities for Vermonters and visitors to Vermont, and

WHEREAS, Congress has already designated 17,258 acres of Green Mountain National Forest as permanent wilderness, to meet the needs of those who desire a wilderness experience in Vermont, and

WHEREAS, the use of these wilderness areas has been relatively infrequent, and in fact has declined since 1979, making it clear that there is no urgent need for their expansion, and

WHEREAS, the designation by Congress of additional permanent wilderness areas in Vermont will in such areas forbid all timber harvesting which, in addition to having a negative effect on jobs for Vermonters, will also endanger the provision of Federal payments in lieu of taxes to forest towns, and prevent the removal of dead and down wood for winter fuel for Vermonters, and

WHEREAS, the designation by Congress of additional permanent wilderness areas in Vermont will in such areas prohibit all snowmobiling, thereby increasing the recreational pressure on private lands and the threat of land posting; and make it extremely difficult for Vermont trappers to maintain trap lines in the forest, and

WHEREAS, the designation by Congress of additional permanent wilderness areas in Vermont will in such areas prevent the practical management of deer yards and the stocking of ponds for sportsmen, and the maintenance of trails, fire roads and emergency access routes, by rigidly prohibiting all use of power tools, and

WHEREAS, the designation by Congress of additional permanent wilderness areas in Vermont will impose these strict prohibitions for all time, regardless of changing circumstances and the future preferences of Vermonters, and

WHEREAS, Vermont tradition and common sense hold that public policy conflicts ought to be settled to the maximum extent practicable by Vermonters, close to home, instead of by a distant Congress, almost all of whose members know little or nothing of Vermont; now therefore be it

RESOLVED, that no further permanent wilderness should be designated in Vermont for the indefinite future, and that all areas not presently in permanent wilderness ought to be returned promptly to continuing professional multiple use management by the United States Forest Service; and be it further

RESOLVED, that the Governor and the Congressional delegation should use their good offices to bring together Vermonters representing all affected interests, including wilderness interests, in a continuing process for seeking mutually acceptable solutions to user conflicts in Green Mountain National Forest; such solutions to be transmitted as recommendations to the Forest Service as it prepares its land management plans; and be it further

RESOLVED, that in any such process serious consideration should be given to the recommendation of semi-primitive areas in the forest, where permanent alterations are held in abeyance for the indefinite future, to keep options open for future generations of Vermonters, and be it further

RESOLVED, that the Vermont Congressional delegation be requested to withdraw its proposed legislation (~~S. 892, H.R. 2275~~) to designate additional permanent wilderness in Green Mountain National Forest.

## STATEMENT OF JOHN MCCLAUGHRY, KIRBY, VT.

Testimony of John McClaughry before the Subcommittee on Soil and Water Conservation, Forestry and Environment, Senate Agriculture Committee, on HR 4198, the Vermont Wilderness and Recreation Act of 1983, Washington, February 1, 1984

Mr. Chairman, Members of the Committee: My name is John McClaughry. I am a resident of Kirby, Vermont and I have been involved in the Vermont wilderness controversy for the past eight years as a member of or advisor to the Devils's Den Committee and the Vermont Forest Coalition. In addition, by way of background, I am a Life Member of the Nature Conservancy, and I live on a mountain in the remote Northeast Kingdom of Vermont because I like living back in the wilderness.

While I am opposed to the enactment of this legislation, I will not attempt to address the practical questions of management plans, relocation of trails and boundaries, wildlife management, and so on. Rather let me address a broader phenomenon: the demand for wilderness, and the process by which this bill now comes before you.

There are, in Vermont and in this country, a dedicated band of zealots who continually demand the setting aside by Congress of ever more of the people's forests as permanent wilderness. I am quick to admit that they, like all other persons with an interest in our national forests, have the right to influence the way those scarce resources are allocated. Their interests must be taken into account along with those of competing interests, such as timber harvesting, snowmobiling, hunting and fishing, and ski area development.

But what is unique about the wilderness zealots is that their argument in no way rests upon any practical consideration. They do not make the case - for they cannot - that there is excessive user pressure on existing wilderness. Their case is at root a theological one.

They view the designation by Congress of permanent wilderness as a national act of atonement for mankind's sins against a bleeding planet. Permanent wilderness designation means that man can never again commit unnatural acts against Mother Nature. He may enter, muse, ponder, and depart, but he may not engage in harvesting of nature's resources or even in the despicable practice of internal combustion.

Surveying the damage done to the Nation's environment - the unrepaired strip mining, the dumping of toxic waste, the leaching of spoil banks, the destruction of our topsoil through unwise farming practices, the paving over of many of our most bountiful acres - one can certainly sympathize with those who are appalled at such practices. And I do. But the remedy to such practices is to work to change public policy to discourage them. It is not to persuade Congress to visit retribution upon mankind at large for sins committed the past.

The chief practical difficulty in the wilderness advocate's position is their utter inability to respond to the question, "How much is enough?" For, to a wilderness zealot, this is akin to the question of "What is one human life worth?" In view of the magnitude of mankind's cri[illegible] against the planet, the wilderness people can simply not rest until atonement is complete; and that will not come to pass until every relatively untouched acre of our national forest system is locked up forever in its primeval state.

Consider the Vermont case. The bill before you recites the "urgent need" for more wilderness preservation in Vermont and claims these lands are "increasingly threatened" by the ravages of the human race. There is simply no evidence whatever for these statements. It is a case of advocates reciting a litany until they come to believe it is true, and expect Congress to believe it is true.

Now if wilderness hikers were putting severe pressure on the existing Vermont wilderness areas (17,300 acres at Bristol Cliffs and Lye Brook), a practical case could be made for additional wilderness designation. What are the facts? The facts are that according to Forest Service figures, visits to Vermont's existing wilderness have been decreasing since 1979:

| Year | Recreation Visitor Days | | |
|---|---|---|---|
| | Bristol Cliffs | Lye Brook | Total |
| 1979 | 1000 | 7100 | 8100 |
| 1980 | 900 | 4500 | 5400 |
| 1981 | 800 | 3900 | 4700 |
| 1982 | 900 | 3800 | 4700 |

Source: Green Mountain National Forest, USFS, Rutland, Vermont, June 27, 1983.

The truth of the matter is that the less existing wilderness is visited, the more the wilderness advocates demand. This is so because, again, the demand for wilderness designation in Vermont is simply theological. The wilderness zealots have this inner compulsion to force Congress to set aside more wilderness as an act of atonement, and the amount of atonement required simply cannot be calculated by any process involving facts.

In Vermont we have long had a tradition of coming together in our town halls and meeting places to grapple, as freemen of Vermont, with the problems facing our communities, state, and, occasionally, nation. We Vermonters are very proud of that tradition. We are proud of it not only because it has proven effective over two centuries, but also because it creates for each of us the maximum opportunity to be citizens in the fullest meaning of that word.

What outrages so many Vermonters about the demands of the wilderness zealots is not so much the possibility that additional acreage of the Green Mountain National Forest might be declared off limits to certain uses. I am quite confident that Vermonters could, through a process of mutual accomodation, reach an acceptable consensus about how this great natural resource should be managed for the benefit of all. And I am also confident that the men and women of the Forest Service in Vermont would be highly receptive to such a consensus as they prepare the land management plans required by law.

The wilderness zealots, however, spurned any such process. They established a non-negotiable demand: that Congress must act to lock up large areas of the people's forest, in perpetuity, so that other Vermonters of today and tomorrow and the next century may never again have the opportunity to come together to modify or alter the decision made in 1984.

In doing so, in taking their case to a Congress many miles away, 532 of whose members know little and care little about Vermont, the wilderness advocates have spurned our traditions and scorned our claim to be free and equal citizens. The process they have urged upon you - the permanent designation of wilderness by Congress - in effect strips us of our citizenship. These fellow citizens of ours, these wilderness people, do not think us, and those who may follow us in our occupations and avocations, to be worthy to come together and decide this public question. They seem to be convinced that we will deface and destroy our forest heritage, and must therefore be forbidden by Congressional fiat from ever again having any say over how use conflicts are to be resolved, right here in our own state, in the shadow of our own forests and mountains.

If all power to influence decisions is stripped from us by the act of a Congress half a thousand miles away, what is left of our right to participate in civic decision making? What becomes of our chance to participate, to debate, to challenge, to propose, to resolve, to vote - those features of Vermont government which have for two centuries distinguished our little state, and made its sons and daughters, however humble their station in life, proud to Vermonters.

It matters not to the wilderness advocates that they, too, burn petroleum and drive cars of steel and read the Sunday New York Times, which each week consumes acres of softwood forest. They have branded us, and the people who produce the raw materials which fuel our economy, and the people who wish to go with friends and family for a harmless ride on a snowmobile, and indeed all people who lack their own vision of the Greater Good, as enemies of decency and humanity, unfit to claim the honored title of freeman of Vermont.

We who oppose this permanent wilderness designation bill want to accept responsibility for our forest. We want to work with others, even those with sharply differing opinions, to preserve our birthright - both the natural resource and awesome beauty of our forest, and our civic heritage as freemen of Vermont. What we cannot accept is the proposition that we, and our descendants , should forever be precluded from having any say in something where we feel we have a right to be heard.

This steadfast rejection of their fellow Vermonters as citizens, this insistence that the decisions be taken from our hands for all time, and turned over to [illegible] Congress - that is what really lies at the heart of the opposition to the designation of ever more wilderness in Vermont.

We want to retain and preserve our kind of political life - human scale, community based, face to face, where we can truly strive to become virtuous citizens of our little republic. We are appalled at the thought of being swallowed up in a monstrous political system, a system full of paid lobbyists and pressure groups, logrolling and deal making, games and charades, media manipulation and power politics, where decisions about what is vital to us and to our communities are made not by us, but by others far away, who have no personal stake in things vital to our lives.

Passage of this bill will once again ratify that appalling process. My appeal to you gentlemen is simply this: stop this machine. Take the gun from our heads. Ask us, advocates and opponents alike, to go back to Vermont, come together around a table, give and take as free and equal citizens, advise the Forest Service of whatever consensus we may be able to reach, and resolve this controversy as citizens. Recreating such a process would eventually resolve this controversy. It would not satisfy the more extreme high priests of the wilderness movement, who seek to deny us a role forever so that their special interests can be advanced. But in the long run it would strengthen our political life, give us new faith in the vitality of our political traditions, and reaffirm our citizenship as Vermonters.

[Reprint from Sunday Rutland Herald/Times Argus, July 3, 1983]

## WHY WON'T THE WILDERNESS ADVOCATES COMPROMISE?

(By John McClaughry)[1]

Once again Vermonters are locked in the throes of a pitched battle over wilderness in Green Mountain National Forest. On one side are the wilderness advocates—the Vermont Wilderness Association, the Vermont Audubon Council, various other environmental groups, and the Vermont Congressional delegation. On the other side are residents and town officials near the proposed wilderness areas, snowmobilers, farmers, loggers, and many sportsmen and state legislators.

As in the last Vermont wilderness battle, in 1979, passions are running high. And again, as in 1979, public officials from the Forest Service in Rutland to the Senate Office Building in Washington are hoping that some compromise can be found that would keep them from having to make decisions unpopular to sizable groups of voters.

Since in the Vermont wilderness battle the anti-wilderness forces are content with the longtime status quo, any quest for a compromise must begin by examining the demands of those who advocate change, the wilderness people. A review of their philosophy and their demands over the years is instructive.

The wilderness advocates define The Problem in terms something like this: "Wilderness is good because, on one level, it preserves natural areas, untrammeled by the works of man. Those who desire it may come to those areas to enjoy 'solitude and a primitive and unconfined type of recreation.' On a higher level, the very existence of protected wilderness is good because it symbolizes undefiled nature, compares poorly with the environmental destruction man has wrought elsewhere on this continent, and reproaches us for our unwise actions in the name of progress."

"The Problem," they argue, "is that regardless of the amount of wilderness elsewhere, there is not enough wilderness in Vermont. The Solution is the permanent designation by Congress of tens of thousands of additional forest acres (in Vermont) as permanent wilderness."

Wilderness advocates reject the customary Forest Service concept of multiple use management. They believe, correctly, that the Forest Service, responding to its statutory mandates and changing economic and political currents, could at some future time permit irreversible damage to the areas presently suitable for wilderness designation, for example, through large-scale timber cutting or ski area development. They are not willing to leave open the question of most suitable use of the forest to the next generation, which might opt for some mix of uses which today's wilderness advocates would find unacceptable. Instead, they want Congress to lock up more wilderness for all time.

Of course, Congress could also unlock wilderness. But the wilderness lobby has staunchly resisted any attempt, for any reason whatever, to remove land from designated wilderness status. This became clear in the 1975 Bristol Cliffs controvery, when the Forest Service unwittingly imposed wilderness restrictions on private forest inholders. Although all parties agreed that the Forest Service action was a mistake, the wilderness advocates, fearing establishment of a precedent, sought relief by intricate administrative legerdemain, rather than by corrective Congressional action. (They were not successful; Congress changed the law to give back the erroneously included lands.)

The anti-wilderness forces concede that there is some value to having wilderness; indeed, few voices were raised against the 1974 legislation designating 17,300 acres at Bristol Cliffs and Lye Brook as permanent wilderness. But the anti-wilderness forces believe that wilderness is only one of a number of uses for forest lands, and that the correct mix is a question to be decided periodically by the concerned public in response to emerging economic needs and opportunities. Having agreed to the original designation of Green Mountain wilderness, the anti-wilderness forces now address half of the wilderness advocates' argument in this way: "Is there evidence that those seeking the wilderness experience in Vermont have put such visitor pressure on the present wilderness as to require additional acreage, or are they likely to do so anytime soon?"

Although visitation records are difficult to maintain with any accuracy, the Forest Service estimates that there have been an annual average of 4,700 visitor-day visits made to the two Vermont wilderness areas over the past few years. These are visits of 12 hours or less. Even assuming no visitor stays overnight, this usage amounts to about 13 people a day for the entire existing Vermont wilderness.

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[1] John McClaughry, from Kirby, is a former member of the Vermont House and has served as executive secretary of the White House Cabinet Council on Food and Agriculture.

On the average day, the Vermont wilderness visitor could thus expect to have more than 1,300 acres to himself or herself. It is hard to persuade people that this is an alarming use density, and the Forest Service expects that the visitation rate is decreasing, not increasing. They note, too, the existence of millions of acres of wilderness in the Adirondacks, the Catskills, the White Mountains, Maine and nearby Canada, all readily accessible from Vermont.

Wilderness advocates are thus driven to their second level of argument, which strikes many as less practical than theological. Permanent wilderness is good because it represents an official reproach to the undesirable works of man. Citizens need not actually visit these remote acres. They may as easily contemplate their significance from their firesides, much as the Hindu contemplates Nirvana, secure in the knowledge that at least to that extent, man will not be able to totally ravage this planet. It is not enough, however, for people to dream of wilderness in Alaska or the headwaters of the Amazon. It is essential that they have the knowledge that there is wilderness nearby as well. Needless to say, this is a kind of argument which bears very little weight to practical people.

The anti-wilderness forces have never been unwilling to deal with real problems. If there is serious use pressure on present wilderness, they would entertain the idea of expanding wilderness areas. They would entertain the idea of setting aside remote forest tracts as primitive areas, where permanent changes to the forest would be banned for perhaps a decade, at which time a reevaluation would be undertaken in the light of society's needs and desires at that time. They are willing to agree to a reasonable relocation of snowmobile trails to minimize use conflicts. But they are not willing to see the practical choices of future Vermonters foreclosed forever, merely to satisfy the misty quasi-religious yearnings of impractical people.

Compromise, according to Webster, means "a settlement reached by mutual concessions." The anti-wilderness forces are willing to engage in compromise of this sort, as described above. But the wilderness advocates mean something quite different when they speak of "compromise."

In the 1970s the Vermont Wilderness Association unilaterally identified from 90,000 to 100,000 acres of roadless areas in Green Mountain National Forest. They urged that all these acres be recommended by the Forest Service for wilderness.

The Forest Service professionals, however, found far less acreage in Vermont that they felt met the criterion for permanent wilderness, a finding that incurred an enmity among wilderness advocates that continues to this day. The wilderness groups thus found it necessary to intervene politically in Washington to force consideration of six parcels totalling 55,720 acres. In view of their original insistence on over 90,000 acres, the VWA viewed 55,720 acres as their "compromise" position. When widespread public pressure, including a resolution by the Vermont legislature, defeated designation of any of the 55,720 acres as wilderness in 1979, the wilderness advocates regrouped for another try.

Thus earlier this year they persuaded Vermont's Congressional delegation to introduce legislation designating another 64,800 acres as permanent wilderness. This acreage included the 55,720 acres considered in 1979 plus an additional 9,080 acres.

After a spirited public hearing in Middlebury on May 31, five state legislators "reluctantly" offered a "compromise" plan designating an additional 22,100 acres as wilderness. This attempt at compromise was indignantly rejected by the Vermont Wilderness Association, which termed it a "giveaway." VWA coordinator Peter Smith was quoted as saying, "I'm surprised that they consider it a compromise in any sense of the word. A compromise is give and take, and they want to give nothing and take everything away." This statement reveals the fundamental difficulty of trying to reach a compromise with the present leaders of the wilderness movement.

For in truth it is the VWA and its allies who want to give nothing and take everything away. They make a public demand for 90,000-plus acres to be set aside by Congress forever, to the exclusion of multiple use management. They congratulate themselves for settling on a "compromise" demanded of only 55,720 acres. They lose. Then they come back asking for 64,800 acres. When a part of the opposition group offers a 22,100-acre counter proposal, the wilderness groups deride it in the strongest language.

Now, reasonable people may ask, just what is the VWA and its allies prepared to give up in this process of compromise? Nothing but a small portion of their own demands. They will not accept any reversion of present widerness to multiple use, to be balanced by the designation of additional wilderness elsewhere. They will not accept any modification of the terms of "wilderness" status to allow some presently prohibited activities. Their idea of compromise is that of a street mugger who demands a hundred dollars from his victim, but settles for whatever the victim may have in purse or billfold.

Compromise, as any legislator knows, is a matter to be undertaken by practical people. The wider the range of issues on the table, the better the chance of reaching some mutually agreeable result. The difficulty in compromising the wilderness issue is that the wilderness advocates are not interested in "practical" matters, and they cannot make any "practical" case that the existing wilderness areas are threatened by overuse. They must then proceed only from their theological position which defines wilderness designation as Congressional atonement for man's ecological folly. Unlike questions of user pressure, however, there is no rational way to arrive at the amount of acreage required to provide a given amount of atonement.

Worse yet, Vermont's wilderness leaders have a seemingly fanatic zeal for getting Congress to drive other users out of more and more of the people's forest, or at the very least make it as difficult as possible for anyone else to make use of it. They are willing to put only one question on the table: "How much of the people's forest should Congress set aside forever for (our) wilderness use (or non-use)?" Their strategy seems to be to make the largest possible demand that can be supported by any connection to reality, and then magnanimously settle for a large fraction of it. There is to be no give and take, but simply take. The "compromise" is to establish how much they may take.

There is simply no good reason, among "practical" people, for more permanent wilderness. And practical people cannot engage in a process of "compromise" with zealots who have nothing to put on the bargaining table, other than their own excessive demands.

That is why the present battle will, like that of 1979, probably have to be played out on the political battlefield. There could be a realistic compromise about the various uses of national forest land. The people opposed to permanent wilderness designation have always expressed a willingness to engage in a give and take process, under Forest Service auspices, designed to facilitate an ongoing resolution of use conflicts and resource allocations. But the wilderness advocates do not accept any such ongoing process of compromise. They want the process itself foreclosed by irrevocable Congressional action, for all time. The only thing they are willing to discuss is how much they get. From the tone of their response to the legislators' 22,100-acre plan, it seems clear they won't even be civil unless they get quite a lot.

What would a realistic compromise on the use of the forest be like? It would include preservation of the present wilderness acreage. It might provide for a decade-long moratorium on irreversible activities on designated primitive or backwoods areas, activities like logging or recreational development. It might provide for some relocation of snowmobile trails, or even prohibition of motorized recreation at certain times of the year. It might include some trail maintenance, but no shelter or campsite construction. It might include leasing areas to the wilderness groups themselves, allowing the groups to set use standards, charge entrance fees, and make the required payments in lieu of taxes to local towns. And it would almost certainly preserve the ongoing process of reaching multiple use compromises. But the wilderness forces haughtily reject this last provision, and thus any real effort at compromise, because their idea of "compromise" can be achieved only by putting an end to the process of compromise itself.

That is the tragedy of the matter. There is no reason why a plan for responsible use of Vermont's national forest cannot be worked out by reasonable people. But the leaders of the wilderness groups have proven that they are not reasonable people. They are, in effect, religious zealots, unwilling to make bargains with the Devil.

If they persist in this attitude—and there has been little evidence of any change—they will drive the issue on to Armageddon. The interesting question is whether Sen. Patrick Leahy and Rep. James Jeffords, both of whom aspire to re-election in 1986, will end up among the victors or among the slain.

## STATEMENT OF PETER D. COPPELMAN, DIRECTOR OF FOREST WILDERNESS PROGRAMS AND COUNSEL, THE WILDERNESS SOCIETY

Mr. Chairman, I am Peter D. Coppelman, Director of Forest Wilderness Programs and Counsel of The Wilderness Society.

The Wilderness Society is a non-profit conservation organization, founded in 1935, dedicated to the proper management of public lands and the preservation of wilderness areas. We appreciate the opportunity to address the Committee on the important issue of wilderness preservation in Vermont, where we have about 800 members. Accompanying me today is Peter Kirby, Director of our Forest Management Program.

We support the Senate-passed Vermont wilderness bill which would add about 41,000 acres of wilderness in the Green Mountain National Forest. This represents a compromise down from the 65,000 acres of wilderness contained in the original legislation introduced by the delegation last year. We support this compromise acreage because of the additional consensus which has been gained for the bill among the various interest groups in the state. As this Committee takes up this legislation, we must stress that an essential element of the compromise for the Society and other conservation groups is the retention, unchanged, of Section 103 with its "soft" release formulation. As we shall discuss, this Section does not need to be changed to accomplish its purposes.

Concern has been expressed in the Congress and some Committees that the "soft" release formulation which Congress has included in the [illegible] statewide wilderness bills enacted into law may be inadequate. In particular, the Congressional Research Service recently issued an analysis (hereinafter "CRS Analysis") which notes that "... a literal reading of the soft release language could force re-examination of the wilderness potential of some areas as early as 1986." See Congressional Record S 17172, November 18, 1983. We object to relying on the CRS Analysis as a basis for altering the statutory soft release formula on a number of grounds. First, the analysis inadequately considers the legislative history of soft release; second, it inadequately considers regulations implementing the Resources Planning Act; third, it addresses a purely speculative problem; and fourth, it does not address the real problem.

## Introduction

The Congress has been considering three versions of release language: (1) "soft" release as contained in the Colorado Wilderness Act of 1980 which established the bipartisan precedent on this issue and is contained in the House-passed North Carolina bill and several RARE II bills passed in the last two Congresses; (2) "hard" release, supported by the Administration, which was exemplified last Congress by the Hayakawa RARE II Review Act (S. 842) and the Huckaby nationwide release bill (H.R. 6047); and (3) a version of hard release in the Wyoming wilderness bill (S. 543; H.R. 1569). (See Appendix for full text of release provisions.)

"Release" language applies to nonwilderness lands within a state; that is, those lands which are not designated as wilderness or further planning areas, or given other protective status. The RARE II study itself released 36 of the 62 million acres studied by designating them "nonwilderness." (The Forest Service is treating these lands as released despite the decision of the Ninth Circuit Court of Appeals in California v. Block, October 22, 1982.) It should be noted that under all versions, the lands released are available for full multiple-use management, including nonwilderness development during the period for which they are released.

The Colorado Act's concept of releasing nonwilderness lands for the initial forest planning cycle ("soft" release) was developed as a compromise during the 96th Congress in negotiations among all parties interested in management of the national forest system, including environmentalists and timber industry representatives. This compromise solution established a pattern which is reflected in other state-wide RARE II bills enacted during the 96th Congress for New Mexico and Alaska, and the 97th Congress for West Virginia, Indiana and Missouri. The state congressional delegations of Washington, Oregon, Vermont, Pennsylvania, Arkansas, Idaho, Montana, Virginia, Utah, Michigan, Mississippi,and many others are putting together RARE II bills for their respective states. Since it would probably make no sense for the National Forest System and the National Wilderness Preservation System to be governed by different rules from one state to another, it is a virtual certainty that whatever release language prevails will be consistent throughout the nation. To change the pattern which has been established would require undoing the compromise resolution Congress with such difficulty reached in 1980 and enacted in six states. Indeed the Huckaby nationwide release bill would have specifically reversed the release language already enacted in Colorado, New Mexico, and Alaska [see Section 5(a)]. The Wilderness Society and other conservation organizations support soft release, and urge that it be retained in the North Carolina wilderness bill.

## The CRS Analysis

The CRS Analysis focuses on this language in the soft release formulation: "...The Department of Agriculture shall not be required to review the wilderness option prior to the revision of the initial plans..." As stated in the CRS Analysis, Cong. Rec. 17172, November 18, 1983:

> The other concern over soft release is the language that allows wilderness potential to be ignored until the revision of the initial forest plans. The interpretation of "revision" is the key to the concern. Section 6(f)(5)(A) of RPA as amended directs plans to be revised "from time to time when the Secretary finds conditions in a unit have significantly changed, but at least every 15 years." The regulations for implementing forest planning give similar direction, although they limit the duration of the plans to 10 years [36 CFR 219.11(f)]. The current concern is that a challenge to an initial forest plan could force an immediate revision of the plan, without any period of implementation. If so, another wilderness analysis for those areas could begin as early as 1 year after an initial plan has been completed. This provides no period of stability for the industry, and is arguably contrary to the intent of soft release language, as stated in House Report 96-1223 (p. 54): "The Committee believes and expects, therefore, that the wilderness option for the roadless areas in nonwilderness multiple-use will not be reexamined in most cases until approximately 1993." The report language notwithstanding, a literal interpretation of the soft release language could force a reexamination of the wilderness potential of some areas as early as 1986.

## Inadequate Consideration of Legislative History

The CRS analysis simply concludes - without further discussion - that a "literal" reading of the statutory language could require a wilderness review as early as 1986, because "revisions" to plans *can* occur prior to the scheduled revisions every 10-15 years referred to in the RPA statute and implementing regulations. CRS assumes *without analysis* that the statute has a clear "literal" meaning. To the contrary, the statutory language is ambiguous in its reference to the kind of "revision" which could trigger a reevaluation of wilderness.

The RPA statute and regulations contemplate two kinds of *revisions*: the first are *regularly scheduled* revisions which the statute says will occur "at least every 15 years" [Section 6(f)(5)(A)]. The regulations state: "A forest plan shall ordinarily be revised on a 10-year cycle or at least every 15 years" (36 CFR 219.10(g)]. Second are unscheduled revisions which may occur, according to the regulations "whenever the Forest Supervisor determines that conditions or demands in the area covered by the plan have changed significantly or when changes in RPA policies, goals, or objectives would have a significant effect on forest level programs." *(ibid.)* Further, the regulations direct the forest supervisor to review conditions of the land "at least every five years" to determine if changed conditions warrant a revision.

CRS assumes that either type of revision would toll the moratorium on wilderness review contained in the soft release language. But a careful reading of the statutory language does *not* support this interpretation. The language states: "...the Department of Agriculture shall not be required to review the wilderness option prior to *the* revision of the initial plans..." (emphasis added). If Congress intended to allow *any kind* of revision to satisfy this language, it would have referred to *"a"* revision, and not "the" revision. By referring to "the" revision it appears that Congress had a *specific* revision in mind, and that would be the *regularly scheduled revision*, not just any revision of the plan.

At best the statute is unclear and ambiguous. In that case, resort to legislative history is appropriate to determine Congress' intent. Without going into great detail, that history shows that Congress did indeed intend to defer a wilderness review until the second regularly scheduled forest planning cycle. A strong indication is, of course, the language of House Report 96-1223 on H.R. 7702, the proposed California wilderness bill. Negotiations on this bill led to the soft release formulation. As cited by CRS, the House Report notes at p. 54: "The Committee believes and expects, therefore, that the wilderness option for the roadless areas will not be reexamined in most cases until approximately 1993" [in the second generation of plans]. There are other, equally strong statements of Congressional intent. Senator Armstrong, a key sponsor of the Colorado wilderness bill, which used the soft release formula, stated during Senate consideration of the Conference Committee Report on the Colorado wilderness bill:

> "...under the land management planning process, the Forest Service and the Department of Agriculture can and will again review the wilderness options as they develop *new forest* plans under the Resources Planning Act." *Congressional* Record S 15572, December 4, 1980 (Emphasis added)

"New forest plans" is a clear reference to the second generation of plans. An interim revision of the first generation of plans would not be called a "new" forest plan.

In light of this reading of the statute aided by legislative history, we believe CRS concluded too hastily that there is a clear "literal" meaning of the statute to the effect that *any* revision to a forest plan would toll the soft release moratorium on wilderness review. Of course, to clear up any uncertainty, the Committee could give explicit guidance in the Committee report if it deems further clarification to be necessary.

## Inadequate Consideration of RPA Regulations

The CRS analysis gives the impression that revisions to forest plans would be a common occurrence. CRS fails to mention that the regulations contemplate *three* types of alterations in forest plans - amendments, significant amendments, and revisions. The first type of change is an amendment which can occur, for example, when there is a difference between proposed annual budgets and appropriated funds. [36 CFR 219.10 (e)] The second kind of change is a significant amendment which is of such magnitude as to require in all likelihood the use of an environmental impact statement and compliance with the same proceedures as required for development and approval of the forest plan itself. [36 CFR 219.10(f)] The third type of change is a revision which requires essentially that the entire plan be redone. [36 CFR 219.10(g)] As we have discussed, only scheduled revisions involve reconsideration of wilderness.
(*ibid.*)

The point is that there are ways of making changes in a plan - even major changes - without doing a "revision" of the plan. Even if CRS is right that any revisions satisfy the soft release provisions, the regulations indicate that revisions are contemplated only when there are significant changes affecting the forest plan in the basic goals for the forest.

## The Problem Addressed by CRS is not a Real Problem

The "concern" addressed in the CRS analysis that revision of a forest plan will "force a reexamination of the wilderness potential of some areas as early as 1986" is, of course, hypothetical, since the plans are not yet final. The Forest Service is now expressing the view that the soft release language needs to be tightened. (See testimony of Lamar Beasly, Deputy Chief of the Forest Service on S. 1610, the Wisconsin Wilderness bill, Senate Agriculture, Nutrition and Forestry Committee, November 16, 1983). His view is interesting in light of previous representations by the Chief of the Forest Service to the Senate that there were no loopholes in the soft release language, and the language was causing no problem in states where it has been enacted. In a letter dated June 5, 1981 from Chief Peterson to Senator Malcolm Wallop, there appears the following question and response:

> Question 6: While the California bill did not ultimately become law, this [sufficiency/release] language found its way into other laws -- Colorado, Alaska, and New Mexico. Has there been any difficulty with management of nonwilderness lands in those States as a result of the compromise? Has someone found a loophole? Have there been complaints from individuals in those States that it does not work?
>
> Response: The management of the nonwilderness in Colorado, Alaska, and New Mexico is proceeding in an orderly planned manner. We do not have any lawsuits in these States. We are not aware of any loopholes or major complaints in these States..."
> (see Hearings on RARE II Review Act of 1981, Senate Publication No. 97-60, p. 493)

## The CRS Analysis does not Address the Real Problem

There has always been a dispute about release language between conservationists and development interests. That dispute has never involved the question of whether soft release will really last for one full generation of forest planning. Instead the dispute has been over how many generations of forest plans should be covered in the release provision.

The Colorado Act releases nonwilderness lands for the initial forest planning cycle (until the 1990's). Hard release would release the lands permanently, and the Wyoming bill releases the lands "for purposes of all current and future land management plans which are approved before December 31, 2000." The year 2000 in the Wyoming bill is an arbitrary date in that it is unrelated to the forest planning cycle. The effect of this provision may well be to put off consideration of the wilderness option not just for the seventeen year period between now and 2000, but for up to thirty years. The reason is a change in the regulations governing forest planning process. Regulations under the National Forest Management Act used to require that forest plans be revised "at least every ten years" [36 CFR 219.10(g)]. The new regulation changes this provision to read: "A forest plan shall ordinarily be revised on a 10-year cycle or at least every 15 years." [36 CFR 219.10 (g)] (Emphasis added)

The first planning cycle is scheduled to be completed (depending on the particular forest) in 1984 or 1985. On a fifteen year schedule, the next plans will be approved in the late 1990's, just before the bill's year 2000 deadline. These plans will govern management of the forests for another fifteen years, or until 2012-15. In our view, the need has not been demonstrated for delaying reconsideration of the wilderness option for so long a period of time, especially since doing so would involve unraveling a resolution of the issue which all interested parties have accepted. For wilderness, thirty years is a very long time; the National Wilderness Preservation System itself has existed for less than twenty years (since passage of the Wilderness Act in 1964.) How much roadless land will be left after thirty years?

Hard release provisions, insofar as they eliminate the wilderness option from the planning process, do damage to the Acts governing management of the national forests, in particular the NFMA and Resources Planning Act. The degree of damage varies, with permanent release being more objectionable. The end result of the permanent release formula would be to relegate wilderness to a second class, rather than equal status in a newly established priority of uses of the national forest lands in contravention of all previous Congressional mandates.

## Conclusion

The real dispute about release is whether lands should be released for one generation of forest plans, two generations, or all future forest plans. We are skeptical about the criticism of soft release that it won't accomplish its stated objective - which we support - of releasing lands for the first generation of plans. We believe this is just an attempt to get the nose of the camel into the tent; in other words, it is a tactic to reopen the whole release debate. None of the proponents of permanent release or Wyoming release have indicated that they will be satisfied with a tightening of the soft release language. We believe that clarifying Committee report language can solve the problem - if there is one. That option we will be glad to consider.

We appreciate the opportunity to express our views on this important subject.

## APPENDIX

The Colorado wilderness Act of 1980 contains the following "soft" release language:

> Sec. 5(a) The Congress finds that--
>
> (1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II); and
>
> (2) the Congress has made its own review and examination of National Forest System roadless areas in the state of Colorado and of the Environmental impacts associated with alternative allocations of such areas.
>
> (b) On the basis of such review, the Congress hereby determines and directs that--
>
> (1) without passing on the question of the legal and factual sufficiency of the RARE II Final Environmental Statement (dated January 1979) with respect to National Forest System lands in States other than Colorado, such statement shall not be subject to judicial review with respect to National Forest System lands in the State of Colorado;
>
> (2) with respect to the National Forest System lands in the State of Colorado which were reviewed by the Department of Agriculture in the remaining in further planning upon enactment of this Act, areas listed in Section 4 of this Act, or previously congressionally designated wilderness study areas, that review and evaluation shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the

National Forest Management Act of 1976 to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revision of the initial plans and in no case prior to the date established by law for completion of the initial planning cycle:

(3) areas reviewed in such Final Environmental Statement and not designated as wilderness or for study by this Act or remaining in further planning upon enactment of this Act need not be managed for the purpose of protecting their suitability for wilderness designation pending revision of the initial plans; and

(4) Unless expressly authorized by Congress the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of Colorado for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

The Wyoming Wilderness Act of 1983, H.R. 1568, S.543, contains the following release language:

> Section 102 (b) The purposes of this Act are to:...
>
> (4) insure that certain national forest system lands in the State of Wyoming be made available for uses other than wilderness in accordance with applicable national forest laws and planning procedures and section 302 of the Act.
>
> The lands referred to in paragraph (4) may be managed for a wide variety of uses, depending on their unique characteristics, including but not limited to fish and wildlife protection and management, developed and undeveloped recreation, scenic enjoyment, preservation of natural characteristics, range management, timber harvesting, watershed and vegetation management, energy and minerals exploration and development, and other uses.
>
> Section 302. (b) National forest system lands in the State of Wyoming (1) not identified by section 201 as additions to the National Wilderness Preservation System, or (2) not heretofore designated by Act of Congress as components of the National Wilderness Preservation System, shall be managed for multiple uses other than wilderness, until and unless otherwise directed by an Act of Congress. Such lands shall be deemed, for purposes of all current and future land management plans which are approved before December 31, 2000, and which are required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, to have been given adequate consideration as to their suitability for inclusion in the National Wilderness Preservation System.
>
> (c) Unless expressly authorized by Congress, the Secretary of Agriculture shall not conduct, pursuant to the Wilderness Act, any roadless area review and evaluation of national forest system

> lands in the State of Wyoming for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

The Huckaby bill, H.R. 4047, contained the following "hard" or permanent release language:

> Sec. 5. The Congress determines and directs that --
>
> (a) national forest system lands (1) not identified by section 3 as lands recommended for wilderness or (2) not identified by section 3 as lands requiring further planning, including certain lands heretofore in primitive areas and wilderness study areas, and (3) not heretofore specifically designated by Act of Congress as wilderness, shall, notwithstanding any other provision of law including section 708 of the Alaska National Interest Lands Conservation Act (94 Stat. 2371, 2421), section 104 of the Act of December 19, 1980, (94 Stat. 3265, 3270), and Section 107 of the Act of December 22, 1980 (94 Stat. 3265, 3270) be managed for multiple uses other than wilderness, unless Congress otherwise directs, and shall be deemed, for purposes of all present and future land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, to have been given adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System;
>
> (b) lands recommended for wilderness identified by section 3 and not placed into the National Wilderness Preservation System by Act of Congress before January 1, 1985, shall after that date no longer be considered as recommended for wilderness and shall be managed for multiple uses other than wilderness in accordance with the provisions of subsection (a) of this section; and
>
> (c) any lands requiring further planning identified by section 3 (1) not hereafter recommended before September 30, 1985, by the Secretary of Agriculture for wilderness shall, beginning on the date of determination not to recommend any such lands, or portion thereof, for wilderness, be managed for multiple uses other than wilderness in accordance with the provisions of subsection (a) of this section, or (2) recommended before September 30, 1985, by the Secretary for wilderness but not placed into the Wilderness Preservation System by Act of Congress before January 1, 1988, shall after that date no longer be considered as requiring further planning or as recommended for wilderness and shall be managed for multiple uses other than wilderness in accordance with the provisions of subsection (a) of this section.
>
> Section 7. The Secretary of Agriculture shall not review any National Forest System lands for inclusion in the National Wilderness Preservation System unless expressly authorized by joint resolution of Congress adopted after the effective date of this Act; and no such lands shall be managed for protecting their suitability for possible wilderness designation unless authorized to be reviewed pursuant to this section.

## STATEMENT OF JOHN F. HALL, VICE PRESIDENT, RESOURCES
## NATIONAL FOREST PRODUCTS ASSOCIATION

Mr. Chairman and Members of the Committee, I am John F. Hall, Vice President, Resources, for the National Forest Products Association.

Headquartered in Washington, D.C., the National Forest Products Association (NFPA) is a federation of 30 regional, product and species associations and 14 direct member companies. NFPA represents the growers, manufacturers, and wholesale distributors of solid wood products throughout the United States.

My testimony today is based on the inadequate "release" language in H.R. 4198. There is no certainty that the lands not designated as Wilderness will remain available for non-Wilderness uses. Timber management and harvest have played an important role in the history and development of the Green Mountains and is still providing a major contribution to the culture and economic health of surrounding communities.

Managing a forest is a long-range proposition. What you will be able to harvest 40 to 80 years from now depends on what you do today. The actions taken or not taken today, will have consequences for generations.

The basic element in forest management is the land base. Forest managers must know how much land is available for management -- and will continue to be available.

In 1973 to help stabilize the national forest land base, the Forest Service undertook the RARE II study -- the Forest Service's second Roadless Area Review and Evaluation.

The aim of RARE II was to let Congress and the public settle which lands are to be available for general recreation and commodity uses and which for Wilderness, so that all the roadless land would not be tied up indefinitely simply because it was potential Wilderness.

In 1979, 8 years after the study of these lands began, the Carter Administration announced its recommendations for using the land: 15 million acres would be added to the nation's Wilderness system; 36 million acres would be returned to non-Wilderness multiple uses; and 11 million acres would be studied further. The Administration sent the recommendations to Congress since only Congress can designate land as Wilderness.

Technically, the lands recommended for non-Wilderness in RARE II are available for multiple use management. But in reality, any decision the Forest Service makes about developing land is likely to be met with an array of administrative appeals, court suits, and political action.

As long as uncertainty remains about the use of these lands, the forest industry must question the reliability of timber management plans. This affects investment decisions and the industry's ability to meet demand for wood products in the future.

From the timber industry's point of view, the key resolution of the roadless area issue is reasonable Wilderness designations and the implementation of:

(1) strong and clear "sufficiency" language to end legal challenges based on RARE II, and
(2) "release" language to provide some element of certainty for a reasonable period of time.

Wilderness classification provides permanent protection for the allocated areas. A similar degree of protection should be provided for non-Wilderness areas. Release language, as contained in Sec. 105 of the bill provides very little protection. It provides release for only the "initial management plans" and only until the first "revision". The Forest Service's National Forest Management Act (NFMA Sec. 2(f)(4)&(5)) regulations provide that revisions may be considered at anytime. This means that as early as 1985 the Wilderness characteristics of roadless areas will again become a dominant factor in Forest Service planning and management. This so called "release" hardly provides stability in land management for the forest users of Vermont.

Section 105 of the bill contains adequate "sufficiency" language to end the threat of legal challenges to the RARE II Environmental Impact Statement, but unfortunately it does little to protect potential future multiple use management on the non-Wilderness RARE II lands. This can only be done with strong "release" language.

When should the Wilderness option for roadless areas again be considered? The initial plans are to be completed by September 30, 1985. The National Forest Management Act provides that a plan shall be in effect for no longer than 15 years before it is revised.

In this connection, H.R. 4198 should be amended to provide for release language similar to that contained in S. 543, the Wyoming Wilderness bill passed by the Senate earlier this year. This approach offers a realistic solution to a controversial problem by saying that the Wilderness option would be considered in each future planning generation begun after December 31, 2000.

Under this langauge, the Forest Service may conduct a timber sale in a roadless area and not be challenged on the basis that the area must be considered for Wilderness in a future planning cycle. Once into a second-generation plan, the Forest Service may, of course, manage a roadless area according to that plan and the Wilderness option could be considered at that time. In short, the Wilderness option must be considered in each future planning generation begun after December 31, 2000.

In summary, opportunities also exist to increase employment in the forest industry and in building and related service industries by improving National Forest timber productivity. For every timber industry job at least two more jobs in related industry are created, according to an independent consulting firm. We stress the need for strong "release" language that will provide stability and land management for the forest industry users of Vermont.

98th CONGRESS
1st Session

# H. R. 4198

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 16 (legislative day, NOVEMBER 14), 1983

Received; read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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# AN ACT

To designate certain national forest system lands in the State of Vermont for inclusion in the National Wilderness Preservation System and to designate a national recreation area.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Vermont Wilderness Act of 1983".

## TITLE I—NEW WILDERNESS AREAS

### FINDINGS AND POLICY

SEC. 101. (a) The Congress finds that—

(1) in the vicinity of major population centers and in the more populous eastern half of the United States

there is an urgent need to identify, designate, and preserve areas of wilderness by including suitable lands within the National Wilderness Preservation System;

(2) in recognition of this urgent need, certain suitable lands in the national forest system in Vermont were designated by the Congress as wilderness in 1975;

(3) there exist in the national forest system in the vicinity of major population centers and in Vermont additional areas of undeveloped land which meet the definition of wilderness in section 2(c) of the Wilderness Act (78 Stat. 890);

(4) these and other lands in Vermont which are suitable for designation as wilderness are increasingly threatened by the pressures of a growing and concentrated population, expanding settlement, spreading mechanization, and development and uses inconsistent with the protection, maintenance, and enhancement of their wilderness character; and

(5) the Wilderness Act established that an area is qualified and suitable for designation as wilderness which (i) though man's works may have been present in the past, has been or may be so restored by natural influences as to generally appear to have been affected primarily by the forces of nature, with the imprint of

man's work substantially unnoticeable, and (ii) which may, upon designation as wilderness, contain certain preexisting nonconforming uses, improvements, structures, or installations; and the Congress has reaffirmed these established policies in the subsequent designation of additional areas, exercising its sole authority to determine the suitability of such areas for designation as wilderness.

(b) The purpose of this title is to designate certain national forest system lands in the State of Vermont as components of the National Wilderness Preservation System, in order to preserve such areas as an enduring resource of wilderness which shall be managed to perpetuate and protect watersheds and wildlife habitat, preserve scenic and historic resources, and promote scientific research, primitive recreation, solitude, physical and mental challenge, and inspiration for the benefit of all the American people, to a greater extent than is possible in the absence of wilderness designation.

### DESIGNATION OF WILDERNESS AREAS

SEC. 102. In furtherance of the purposes of the Wilderness Act, the following lands in the State of Vermont are designated as components of the National Wilderness Preservation System:

(1) certain lands in the Green Mountain National Forest, Vermont, which comprise approximately

twenty-one thousand four hundred and eighty acres, as generally depicted on a map entitled "Breadloaf Wilderness—Proposed", dated September 1983, and which shall be known as the Breadloaf Wilderness;

(2) certain lands in the Green Mountain National Forest, Vermont, which comprise approximately six thousand seven hundred and twenty acres, as generally depicted on a map entitled "Big Branch Wilderness—Proposed", dated September 1983, and which shall be known as the Big Branch Wilderness;

(3) certain lands in the Green Mountain National Forest, Vermont, which comprise approximately six thousand nine hundred and twenty acres, as generally depicted on a map entitled "Peru Peak Wilderness—Proposed", dated September 1983, and which shall be known as the Peru Peak Wilderness;

(4) certain lands in the Green Mountain National Forest, Vermont, which comprise approximately one thousand and eighty acres, as generally depicted on a map entitled "Lye Brook Additions—Proposed", dated September 1983, and which are hereby incorporated in and shall be deemed to be a part of the Lye Brook Wilderness as designated by Public Law 93-622; and

(5) certain lands in the Green Mountain National Forest, Vermont, which comprise approximately five

thousand and sixty acres, as generally depicted on a map entitled "George D. Aiken Wilderness—Proposed", dated September 1983, and which shall be known as the George D. Aiken Wilderness.

MAPS AND DESCRIPTIONS

SEC. 103. As soon as practicable after this title takes effect, the Secretary of Agriculture shall file the maps referred to in this title and legal descriptions of each wilderness area designated by this title with the Committee on Energy and Natural Resources, United States Senate, and the Committees on Agriculture and Interior and Insular Affairs of the United States House of Representatives, and each such map and legal description shall have the same force and effect as if included in this title: *Provided however*, That correction of clerical and typographical errors in such legal descriptions and maps may be made. Each such map and legal description shall be on file and available for public inspection in the office of the Chief of the Forest Service, Department of Agriculture.

ADMINISTRATION OF WILDERNESS

SEC. 104. (a) Subject to valid existing rights, each wilderness area designated by this title shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that, with respect to any area designated in this title, any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this title.

(b) As provided in section 4(d)(8) of the Wilderness Act, nothing in this title shall be construed as affecting the jurisdiction or responsibilities of the State of Vermont with respect to wildlife and fish in the national forest in the State of Vermont.

(c) Notwithstanding any other provision of the Wilderness Act or any other provision of law, the Appalachian Trail and related structures, the Long Trail and related structures, and the associated trails of the Appalachian Trail and the Long Trail may be maintained.

EFFECT OF RARE II

SEC. 105. (a) The Congress finds that—

(1) the Department of Agriculture has completed the second Roadless Area Review and Evaluation (RARE II); and

(2) the Congress has made its own review and examination of national forest system roadless areas in the State of Vermont, and of the environmental impacts associated with alternative allocations of such areas.

(b) On the basis of such review, the Congress determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to national forest system lands in States other than Vermont, such statement shall not be subject to judicial review with respect to national forest system lands in the State of Vermont;

(2) with respect to the national forest system lands in the State of Vermont which were reviewed by the Department of Agriculture in RARE II, that review and evaluation shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976 to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revision of the initial plans and in no case prior to the date established by law for completion of the initial planning cycle;

(3) areas in the State of Vermont reviewed in such final environmental statement and not designated as wilderness upon enactment of this Act need not be

managed for the purpose of protecting their suitability for wilderness designation pending revision of the initial plans; and

(4) unless expressly authorized by Congress the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of national forest system lands in the State of Vermont for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

## TITLE II—WHITE ROCKS NATIONAL RECREATION AREA

### FINDINGS AND POLICY

SEC. 201. (a) The Congress finds that—

(1) Vermont is a beautiful but small and rural State, situated near four large cities with combined metropolitan populations of over fifteen million;

(2) geographic and topographic characteristics of Vermont provide opportunities for large numbers of people to experience the beauty of primitive areas, but also place unusual pressure to provide options to maximize the availability of such lands for a variety of forms of recreation;

(3) certain lands designated as the Big Branch and Peru Peak Wilderness Areas by title I of this Act

are suitable for inclusion as part of the National Recreation Area;

(4) certain other lands on the Green Mountain National Forest not designated as wilderness by this Act are of a predominantly roadless nature and possess outstanding wild values that are important for primitive recreation, watershed protection, wildlife habitat, ecological study, education, and historic and archeological resources, and are deemed suitable for preservation and protection as part of a national recreation area.

(b) The purpose of this title is to designate certain national forest system lands in the State of Vermont as the White Rocks National Recreation Area in order to preserve and protect its existing wilderness and wild values and to promote wild forest and aquatic habitat for wildlife, watershed protection opportunities for primitive recreation, scenic, ecological and scientific values.

## DESIGNATION OF WHITE ROCKS NATIONAL RECREATION AREA

SEC. 202. In furtherance of the findings and purposes of this title certain lands in the Green Mountain National Forest, Vermont, which comprise approximately thirty-six thousand and four hundred acres, as generally depicted on a map entitled "White Rocks National Recreation Area—Proposed", dated September 1983, are hereby designated as the White Rocks National Recreation Area.

MAPS AND DESCRIPTIONS

SEC. 203. As soon as practicable after this title takes effect, the Secretary of Agriculture shall file the map referred to in this title and legal descriptions of the National Recreation Area designated by this title with the Committee on Energy and Natural Resources, United States Senate, and the Committees on Agriculture and on Interior and Insular Affairs of the United States House of Representatives, and each such map and legal description shall have the same force and effect as if included in this title: *Provided, however,* That correction of clerical and typographical errors in such legal descriptions and maps may be made. Each such map and legal description shall be on file and available for public inspection in the office of the Chief of the Forest Service, Department of Agriculture.

ADMINISTRATION OF THE NATIONAL RECREATION AREA

SEC. 204. (a) Subject to valid existing rights, the White Rocks National Recreation Area designated by this Act shall be administered by the Secretary of Agriculture in accordance with the findings and purpose of this title and the laws, rules, and regulations applicable to the national forest in a manner compatible with the following objectives:

(1) the continuation of existing primitive and semiprimitive recreational use in a natural environment;

(2) utilization of natural resources shall be permitted only if consistent with the findings and purposes in this title;

(3) preservation of and protection of forest and aquatic habitat for fish and wildlife; and

(4) protection and conservation of special areas having uncommon or outstanding wilderness, biological, geological, recreational, cultural, historical or archeological, and scientific and other values contributing to the public benefit.

(b) Notwithstanding any other provision of law, federally owned lands within the White Rocks National Recreation Area as designated by this Act are hereby withdrawn from all forms of appropriation under the mineral leasing laws, including all laws pertaining to geothermal leasing, and all amendments thereto.

(c) The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the boundaries of the recreation area in accordance with applicable laws of the United States and the State of Vermont.

(d) Within eighteen months from the date of enactment of this Act the Secretary shall develop and submit to the

Committees on Agriculture and Interior and Insular Affairs of the United States House of Representatives and Energy and Natural Resources of the United States Senate a comprehensive management plan for the recreation area.

(e) In conducting the reviews and preparing the comprehensive management plan required by this section, the Secretary shall provide for full public participation, shall consider the views of all interested agencies, organizations and individuals, and shall particularly emphasize the values enumerated in subparagraph 201(a)(4) of this title.

Passed the House of Representatives November 15, 1983.

Attest: BENJAMIN J. GUTHRIE,

*Clerk.*

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